BOMBAY COURIER.

PUBLISHED TWICE A-WEEK.—EVERY TUESDAY, AND SATURDAY MORNING.

PRICE 14 RUPEES PER QUARTER:—OR, IF PAID IN ADVANCE, FOR A WHOLE YEAR 40 RUPEES—FOR HALF A YEAR 22 RUPEES—FOR A QUARTER 12 RUPEES

No Subscription can be received as in Advance, unless the amount be actually paid or remitted, before or within the first week of the quarter or half year, or of the first month of the year, for which the Subscription is proposed.

VOL. XLII. SATURDAY, 22 JUNE, 1839. No. 3249.

NOTICE.

TO be sold by Public Auction, on Saturday, the 29th Instant, at the Naval Cooperage, at 12 o'clock. Sundry unserviceable victualling stores, landed from Her Majesty's Ships Wellesley, Volage, Cruizer and Algerine.

BOADEN AND Co,
Naval Commission Agents.

Bombay, 21st June 1839.

NOTICE.

UNIVERSAL LIFE ASSURANCE SOCIETY.

THE Directors, of this institution have appointed a Committee for the purpose of accepting risks, issuing Policies, and transacting generally the business of the Society at Bombay. Forms of application, Tables of Premiums, and every information connected with the Society can be obtained at our office.

LECKIE AND Co.
Agents, Bombay Branch Universal Life Assurance Society.

FOR SALE at the Godowns of Messrs. *Leckie and Co.*

Wines received from Messrs. *Hemery Brothers* of Jersey, per *Thomas Coutts*, 3 doz. and 6 doz. cases.

Sherry, Pale, Amontillado.. ....@ Rs.	18	₱ dozen.
Claret, Lafitte vint. 1834....	20	,,
Hock, Growth of Rudesheim vint. 1825	20	,,
Sparkling Champaign, 1st Growth of a. i. 1834.....	35	,,
Champaign, Cognac Pale..	15	,,
Cognac Cherry Brandy.....	15	,,

Ditto..Ditto from Messrs. *C. P. Fletcher, and Co.* of London per *Triumph* in 1 dozen cases,

Sparkling Champaign.... .. ....@ Rs.	35	₱ dozen.
Claret St. Julian, 1834....	18	,,
Claret St. Estephe, 1834....	16	,,
Barclay Perkins and Cos. Pale Ale, per *Thos. Coutts*....	45	per Hhd.

FOR SALE, at the Godowns of Messrs. REMINGTON AND Co. Ex-Triumph, Champaigne in Cases of 3 Dozen.

Quarts @..Rs. 36 per Dozen.

A few Hhds. of Superior Pale Brown Serry at.....“ 325 per Hhd.

CHAMPAIGN.

MESSRS. ROBERT FRITH & Co. have received for sale on Commission a small quantity of the above wine which can be strongly recommended.—Price 26 Rupees per dozen.

MESSRS ROBERT FRITH AND Co.—Have received for sale on Commission, some very fine Port Wine which they can recommend. Price Rs. 10 per dozen, sample Bottles 1 Rs. each.

ON Wednesday next the 26th Inst. *Messrs Robert Frith & Co.* will submit to Public sale without reserve at their rooms an invoice of pictures on strainers and varnished, amongst which are Portraits of Queen Victoria, the Coronation, Napoleon at Waterloo, Madam Vestris, Celebrated Antrisses, Duke of Wellington, battle scenes, &c. &c an Invoice of Linen, Table Clothes and Towelling; slightly damaged bleached and unbleached Long Cloths; Barrels of Gunpowder, some fine sparkling champaign and a variety of other articles.

FOR sale a brace of fine Greyhounds just imported.

Apply to ROBERT FRITH & Co.

ON Tuesday next the 25th Instant, Messrs. BLACKWELL CURSETJEE AND Co. will sell by public Auction at their Rooms at 11 A. M. the undermentioned, viz. an Invoice of Silk Hats for Ladies, Gentlemen and Children, an Invoice of Glass Ware consisting of Glass bottom Globe Lamps, Plated and Brass do. Double and single branched Wall Shades with Plated Stems, Spare Flowerred and plain Shades, Large and small Phials, an Invoice of Hardware consisting of patent Chest Locks, gilt Drawer knobs and Rings of sizes &c. China Toys, Pictures in gilt Frames, a quantity of neat and useful Household Furniture, consisting of Couches, Chairs, Bedsteads, Almirahs, Teapoy; a large Rocking Horse &c.

At 1 P. M.

Any Cattle or Carriages that may offer.—Bombay, 22d June 1839.

FOR SALE, the undermentioned Carriages, One Parsee fashion Buggy painted Olive Green, relieved light Green, Drab lining, with Gold mountings, and ornaments, brass Furniture and Lamps complete. price Rupees 1000.

One do. do. painted a Rich purple, relieved Lavender Colour, Drab lining, with gold mountings and ornaments, and Lamps complete, price Rupees 1000.

One do. do. painted rich olive Green, relived light Green, Drab Coloured Lining, Brass mountings, and lamps complete,. price Rupees 1000.

One do. do. painted Rich purple, relieved Lavender Colour, Drab Lining, patent axletrees, Brass mountings and Lamps complete, Price Rupees 1000.

One Childs Barouche, painted Green with very handsome mantles on sides and ends,—lately recd. by the “ *Wm. Harris* ” from London. price Rupees 175.

Apply to BLACKWELL CURSETJEE & Co. who have always on hand an assortment of Carriages new and second hand.—Bombay, 22d June 1839.

JAMES BARRON.—Chronometer, Watch and Clock maker, begs to intimate, that he has received for Sale, a very Superior assortment of Nautical and Mathematical instruments, consisting of Marine Barometers, Azimith and other Compasses, Telescopes, Sextants, Quadrants and Mathematical Instruments with Ivory Scales, in cases.—Meadows Street 22d June 1839.

FOR SALE on Commission.—*Pollunjee Dhunjee*, has the pleasure to announce to his friends and the public in general, that he has received per Ship Triumph, Captain T. Green, from Cape of Good Hope, the following Cape Garden Seeds, consisting of Parsley, Carrot, Knolecole, Turnip, Parsnip, red and drumhead Cabbage, long Scarlet, and Turnip Radish, mixed Lettuce, Spanish Radish, Celery, Cauliflower, Beet-Root, Purple Brocolie, and Spinach, Dwarf Marrowfat Peas, small blue Peas, Governor Beans, and French Beans.—Bombay, 21st June, 1839.

THE SECOND CALCUTTA LOTTERY OF 1839.

A Few Tickets and Shares warranted undrawn in the First days Drawing in the above Lottery are for sale with BYRAMJEE NESSERWANJEE DANTRA, at the Office of Messrs. DIROM CARTER AND Co. at the following prices for Cash, viz:—

Whole Ticket at .....Rs.		126
Half Do.....	“	63
Quarter Do.....	“	31 ½
One Eighth Do.....	“	16

A few Shares in a Club on 12 Tickets of the above Lottery are also, for sale at the Price of Rupees 22 per each Share. Terms and Conditions are already published in the *Bombay Times* of the 5th, and in the *Courier* of the 8th Instant. The Drawing will take place on the 22d Instant.

Bombay, 22nd *June* 1839.

GENERAL ORDERS.

MILITARY DEPARTMENT.

BY THE HONORABLE THE GOVERNOR IN COUNCIL.

Bombay Castle 13th *June* 1839.

No. 328—Lieutenant W. Loch, of the 1st Regiment Light Cavalry, is appointed an Aid-de-Camp on the Staff of the Honorable the Governor. but is not to be withdrawn from his Regimental duties, until the termination of the service on which he is employed.

Ensign W. Reynolds, of the 14th Regiment Native Infantry, to act as Aid-de-Camp to the Honorable the Governor, during the absence of Lieutenant Loch on Field Service, or until further orders. Date of appointment, 1st June 1839.

No. 329.—Under instructions from the Right Honorable the Governor General of India, the Reserve Force of Scinde is to be at present considered, in matters relating to military regulations and discipline, under Major General Sir John FitzGerald, K. C. B. the senior Officer in charge of the Bombay Army.

The Reserve Field Force of Scinde, is to be considered a 1st Class Brigade

No. 330.—The following Extract, para. 22, from the letter from the Hon'ble the Court of Directors, dated 6th February last, No. 3, is published for information.

Letter dated 27th July No. 58.

Submit a Memorial from Captain Baikely, Deputy Judge Advocate General with the recommendation of His Excellency the Commander in Chief praying to be allowed the same Staff Salary as is granted in Bengal and Madras, to Officers holding similar situations.

22. Having authorized the Government of Madras to raise the salaries of Deputy Judge Advocates at that Presidency, from 250 to 350 Rupees a month, as allowed in Bengal, we now sanction a similar augmentation at your Presidency, commencing from the date of your receipt of this dispatch. The allowance for Office Establishment, will at the same time, be fixed at 50 Rupees per month, as granted in Bengal.

Bombay Castle, 14th *June* 1839.

No. 331.—Mr. Robert Phayre, is admitted to the service, in conformity with his appointment by the Hon'ble the Court of Directors, as a Cadet of Infantry on this Establishment, and promoted to Ensign, leaving the date of his Commission for future adjustment.—Date of arrival at Bombay, 8th June 1839.

Captain A. F. Bartlet, of the 26th Regiment Native Infantry, has returned to his duty, without prejudice to his rank, by permission of the Hon'ble the Court of Directors.—Date of arrival at Bombay, 10th June 1839

Bombay Castle 15th *June* 1839.

No. 332.—The following temporary arrangement is confirmed:—

Lieutenant E. S. Blake, of the Regiment of Artillery, to act as Adjutant and Quarter Master to the 2nd Battalion of Artillery, until further orders.

Bombay Castle 17th *June*. 1839.

No. 333.—The following Notification, issued in the General Department under date the 13th instant, is published for general information.

GENERAL DEPARTMENT.

NOTIFICATION.

The Honorable the Governor in Council has received with much concern a representation from the Post Master General, reporting that the practice of forwarding letters of an entirely private nature under cover of Official Franks, prevails to a considerable extent.

His Honor in Council considers it unnecessary to make any remarks upon the character of a practice so totally opposed to propriety, and to the repeated orders issued upon the subject.

The Governor in Council has issued the most peremptory injunctions to the Post Master General, instructing him to report the names of all parties hereafter offending, who will be visited with the most serious displeasure of Government.

By Order, &c.

(Signed) W. S. BOYD,—*Actg. Secy. to Govt.*

Bombay Castle, 13th June 1839.

Bombay Castle, 17th *June* 1839.

No. 334.—Mr. William Henry Seale having satisfied the Government on the points of qualification by the Hon'ble the Court of Directors, is admitted to the Service as a Cadet of Infantry on this Establishment from the 3rd instant, and promoted to Ensign, leaving the dates of his Commission for future adjustment.

No. 335.—The undermentioned Officers, Cadets of the season 1823, are promoted to the Brevet rank of Captain, from the dates specified opposite their names.

Lieutenant A. Shepheard, of the 24th Regiment Native Infantry, Lieutenant W. Thatcher, of the 6th Regiment Native Infantry..25th April 1839.

No. 336.—The following temporary arrangements in the Scinde Reserve, made by Brigadier Valiant, K. H. are confirmed.

Brevet Captain H. Stamford. to act as Adjutant to the details of Artillery, Scinde Reserve Force, from the date of the departure of Lieutenant Hutt to the Presidency, until further orders.

Assistant Surgeon T. S. Cahill, M. D. to act as Staff Surgeon and Deputy Medical Storekeeper to the Scinde Reserve from the 8th March last.

No. 337.—The unexpired portion of the leave to the Cape of Good Hope, granted to Surgeon H. Gibb, of the Medical Establishment, under date the 24th October 1837, is cancelled from the 3rd instant, the date of his return to the Presidency.

No. 338.—Lieutenant H. W. Preedy, Superintendent of Bazars at Kurrachee, received charge of the Commissariat Department with the Reserve of the Army in Scinde, from Brevet Captain G. Wilson, of the 26th Regiment Native Infantry, on the 25th ultimo.

No. 339.—The district order under date the 15th ultimo, directing that all reports and returns be made to Lieutenant Colonel Tweedie, of the 20th Regiment Madras Native Infantry, on the departure of Major General Kinnersley, from Candeish, is confirmed.

Bombay Castle, 19th *June* 1839.

No. 340.—The following appointments are made:—

Ordnance Department.

Sub-Conductor William Cunningham to be Acting Conductor, vice W. Webb deceased,—Date of Appointment, 14th May 1839.

Sub-Conductors Charles Parsons and Henry Purcell to be Acting Conductors to complete the Establishment.—27th do. do.

By order of the Hon'ble the Governor in Council,
E. M. WOOD, Lieut. Col.—*Sec. to Govt.*

MARINE DEPARTMENT.

Bombay Castle, 15th *June* 1839.

No. 58.—Mr. Purser Stockham, is allowed a furlough to Europe, for the benefit of his health.

Bombay Castle, 17th *June* 1839.

No. 59.—Lieutenant George Quanborough, of the Invalid Establishment of the Indian Navy, is permitted to proceed to the Malabar Coast, with leave of absence for one year.

Bombay Castle, 19th *June* 1839.

No. 60.—1st Hospital Assistant Thompson, a Supernumerary on board the “ Hastings” is appointed to the Hon'ble Company's Bengal Pilot Brig “ Orissa” till further orders.

No. 61.—Lieutenant J. P. Porter, is allowed a furlough to Europe, for three years, on sick certificate.

By order of the Hon'ble the Governor in Council,
E. M. WOOD,—Lieut. Col.—*Secy. to Govt.*

CIVIL APPOINTMENTS, &c.

TERRITORIAL DEPARTMENT.

REVENUE.

Bombay Castle, 19th *June* 1839.

Mr. E. H. Townsend, acting collector of Belgaum, received charge of that collectorate on the 14th instant.

By order of the Hon'ble the Governor in Council,
L. R. REID.—*Actg. Chief. Secy.*

POLITICAL DEPARTMENT.

Bombay Castle, 17th *June* 1839.

The Honorable the Governor in Council is pleased to permit Lieutenant Wallace, assistant political agent in the Mahee Caunta, to proceed to Cambay and eventually to the Presidency, for the benefit of his health.

Bombay Castle, 19th *June* 1839.

Mr. E. H. Townsend assumed charge on the 14th instant, of the office of acting political agent in the Southern Marhatta Country.

JUDICIAL DEPARTMENT.

Bombay Castle, 17th *June* 1839.

Goolam Mohideen Wullud Cazee Abdool Kadur assumed charge of the office of Mahomedan Law Officer of the Sholapoor Adawlut on the 14th ultimo.

By order of the Hon'ble the Governor in Council.
J. P. WILLOUGHBY.—*Secy. to Govt.*

STEAM DEPARTMENT.

NOTIFICATION.

The Hon'ble the Governor in Council is pleased to give notice, that he expects to be able to dispatch a Steamer with a Packet for England, via the Persian Gulph, on Thursday the 1st of August next.

It is requested, that letters and dispatches, public and private, for this Packet, may be made as small and light as possible.

By order of the Hon'ble the Governor in Council,
E. M. WOOD, Lieut. Col. *Secy. to Govt.*

Bombay Castle, 19th *June* 1839.

NOTIFICATION.

The Honorable the Governor in Council deems it expedient to establish it as a rule, that, when native servants belonging to any public establishment, are suspended by order of any superior authority, they are not to be restored to their situations without the permission of such authority.

2. And also that no public servant of any grade, who has been once dismissed with the sanction of Government, shall be re-employed without its permission. In all such cases, a brief Report should be made to Government of the circumstances which led to the dismissal of the party, and the reasons for proposing his re-employment.

3. Heads of Departments are requested to make this rule known to all public Servants on their establishments.

By order of the Hon'ble the Governor in Council,
W. S. BOYD,—*Actg. Secy. to Govt.*

Bombay Castle, 15th *June* 1839.

The Hon'ble the Governor in Council is pleased to announce for general information, that the Rules under which a deposit of Rupees (800) eight hundred is required from persons taking Native Servants to England, shall in future be extended to persons taking Native Servants up the Red Sea, in Government vessels,

By order of the Hon'ble the Governor in Council,
W. S. BOYD,—*Actg. Secy. to Govt.*

Bombay Castle, 6th *June* 1839.

FROM THE CHABOOK.

We have received a letter from Dhoolia of the 6th of June conveying to us the melancholy news, that in that country Cholera Morbus exists very strong, and is daily encreasing, by which many persons have died.

In the Jail of Dhoolia there were 168 prisoners of whom 83 persons had died at the date of this letter, and at Bangalore also this disease is strongly prevalent, in five days 550 persons having fallen sick, of whom 350 died 200 were cured; but up to this day 75 persons still remain on the sick list.

An European Doctor and his Assistant had displayed great zeal and activity in the cause.

These three days there is a little Rain, but the heat is excessive.

DURPUN.—JUNE 21.

The Hon'ble the Governor held the first public Durbar on Tuesday last, at one o'clock at Parell.

The whole of the respectable part of the native community was invited to attend the ceremony. Some minutes before the appointed time the carriages began to arrive, and in a few moments the lower part of the Government House was fully crowded. Just as the Clock struck, the party moved up; and each gentleman, after being introduced to His Excellency who stood with his staff at the head of the stair-case, went in & took his seat into the grand appartment. The whole assembly rose up on the entrance of the Governor, who sat down amidst the acclamations of the Chopdars, which were perfectly in the style of the oriental courts. Sir James then made a short speech, which was highly gratifying to the feelings of the native Gentlemen. We regret we can give nothing more than the substance of what His Excellency said on the occasion.

His Excellency commenced by expressing his pride at being nominated to the Government of this Presidency and the gratification he felt at meeting his native friends He assured the Gentlemen assembled of his strong affection and attachment for India. He was born in Bombay, and therefore as a native of the country had always taken the greatest interest in the welfare its people. He hoped that his public career both in India and in England had shewn how much love he bore for this country and its Inhabitants, whose manners and usages he had endeavoured to learn with the greatest attention and assiduity. It was the same feeling coupled with a wish to promote, as far as lay in his power, the happiness and prosperity of the country that had induced him to return to it as Governor of this Presidency. He hoped that he would be able to accomplish the great object of his wishes, and he begged to assure all that no change will at any time take place in his feelings towards them. He would, as head of this Government, study their feelings individually and collectively; and respect their character, their customs, as well as religious institutions and prejudices. He would be always happy to see and converse with his native visitors, and he hoped they will find him at all times as accessible as he was while Resident at Baroda.

On the delivery of this speech, Jamsetjee Jeejeebhoy Esq. thanked His Excellency for his good intentions towards the natives, and wished him long life and prosperity. After some conversation with the principal native gentlemen, the *utter*, *Goolab*, Pansooparee &c. were distributed; and the Durbar broke up. The ceremony occupied about ½ an hour.

The excellent speech given above, in substance, clearly indicates the generosity and philanthropy of Sir James' mind. Those who know his character well are certain that he will fulfill his promises to the very letter. The abilities and humanity which he displayed while at Baroda and in the direction of the East India Company, and which are too well known to require any eulogy from us, furnish the best guarantee that the hopes of his public admirers and private friends are not misplaced. At no time was such a Governor more wanted at Bombay than at this particular moment; when, it is well known, that the affairs of most of the native chiefs are in confusion, and several of them are themselves under the displeasure of our Government. Nor will the internal affairs of the country require a less vigorous excercise of our new Governor's talents and energies; the important and never ending subjects of the settlements of Revenue and taxation—the education of the natives and raising them to superior grades in the service—the perfecting of the magisterial and police systems in the interior—and hundred other things of equal importance will claim his anxious attention, if he would wish to do real good to the country.

But there was one part of His Excellency's speech, which was highly calculated to satisfy the minds of the native community, in its present state of unusual agitation. We allude to the assurance of countenance and protection on religious matters. This together with Sir James' declaration, at another public place, of his regret at the late events and his determination to respect and tolerate all religious systems, will go far to appease the excited feelings of our countrymen, particularly the Parsee community. We wish every Governor and public functionary were as liberal in his views on points of religion, as Sir James.

BOMBAY RACES 1840.

1ST DAY TUESDAY 4TH FEBRUARY, 1840.

1st Race.—Sweepstakes of Rupees 500 P. P. with Rupees 500 from the Fund for all Arab Horses that have never started for Purse, Plate, Cup match or Sweepstakes previous to the day of closing a weight 8st. 7lbs.—2 miles closed on the 15th of October.

2nd Race.—A Welter Rupees 500 from the Fund with a Sweepstakes of Rupees 150 each 1½ miles 11st. 7lbs.

3rd Race.—Give and Take Rupees 500 from the Fund with a Sweepstakes of 150 Rupees each, 1½ miles, heats 14 hands carry 9st.

2D DAY SATURDAY, 8TH FEBRUARY.

1st Race.—The Newnham Stakes of Rupees 500 from the Fund and 2 Gold Mohurs each subscription for all Arab horses that never started for Plate, Purse, Cup match or Sweepstakes previous to the day of naming 2 miles 8st. 4lbs. entrance Rupees 100, closed on the 15th October, when all horses are named.

2nd Race.—Sweepstakes of Rupees 100 Gold Mohurs each for all Arab horses, 8st. 7lbs. 2 miles closed on the 1st December, 3 Subscribers or no races.

3rd Race.—A Purse of Rupees 1500 by Moosa the dealer for all Arabs purchased from him after the 1st January 1839 Sweepstakes Rupees 100 each 8st. 4lbs. winners once 5lbs. Extra twice as more 7lbs. only 2 horses starting 1000 Rupees given a horse walking over to receive Rupees 500, two miles.

3RD DAY TUESDAY 11TH FEBRUARY.

1st Race.—Sweepstakes of Rupees 500 P. P. for all Arabs that have never won with Rupees 500 from the Fund 8st. 4lbs. 2½ miles closed 15th of October.

2nd Race.—A Purse by the members of the Byculla Club with a Sweepstakes of Rupees 150 each for all Arabs weight for age, heats 1½ miles and a distance.

3d Race.—A Sweepstakes of Rupees 1000 each for all Arabs 8st. 7 lbs. 3 miles closed on the 1st. December 3 Subscribers as no races.

4TH DAY SATURDAY 15TH FEBRUARY.

1st Race.—A Gold Cup the Gift of an Amateur value 150 Guineas with a Sweepstakes of Rupees 50 each for all Arabs Bonafide property 8st. 7 lbs. 2 miles.—The Cup to be the property of any Gentleman who may win it two successive meetings

2nd Race.—The Ladies and Bachelor's Purse for all Arabs Rupees 500 from the Fund and a sweepstakes of Rupees 150 each 1 mile heats 8st. 7 lbs.

3rd Race.—A whim Plate of Rupees 500 for all Arabs weight for age and Inches 2 miles heats 14 hands and aged 9st.

5TH DAY TUESDAY 18TH FEBRUARY.

1st Race.—A Forced Handicap for all winners of Publick money during the meeting optional to loosers Rupees 500 from the Fund with a Sweepstakes of Rupees 150 each 2 miles.

2nd Race.—A Plate of Rupees 300 from the Fund for the beaton horses of the Season with a Sweepstakes of Rupees 75 each 1½ mile heats to be handicaped by the Stewards.

3rd Race.—A Horse of Rupees 100 for all horses from the Dealer's stables the second horse to receive 25 Rupees of the above once round the course.

MILITARY ARRIVALS AND DEPARTURES.

ARRIVALS.

June 20th Lieut. T. Jackson, 10th Regt. N. I. from Poonah.

DEPARTURES.

June 19th Major Chales Waddington, Engineers to Poonah.
Do. Do. Assist. Surgeon H. D. Glasse to Malligaum.
Do. 21st Cadet Bowles, 21st Regt. N. I. to Poonah.
Do. Do. Cadet Moore, Artillery to Ditto.
Do. 20th Lieut. W. H. Walsh, 26th Regt. M. N. I. to Sea.

DOMESTIC OCCURRENCES.

BIRTH.

At Poonah, on the 8th instant. The wife of Mr. Honnar Cabrol Clerk in the Judges Office of a son.

At Bhooj, on Wednesday the 12th June, the lady of Captain Melville of a son.

SHIPPING ARRIVALS AND DEPARTURES.

ARRIVALS.

June 18th Her Majesty's Ship Jupiter, R. Falton, Esq. Commander from Columbo 18th May 1839.

Do. Do. American Barque A. Gracie, Chas. Suagary Master from Muscat, left 17th November Madeira 20th December Cape Town Zanzibar, Muscat.

Passengers.—Messrs. Botsford, and Parker, Merchant, 3 Italians, and 4 Arabs from Muscat.

Do. 19th Ship Alexander, Archd. Mackechnie, Mastar, from Greenock 7th March 1839.

Do. 20th Ship Caledonia, Henry Cammell, Master, from Liverpool 26th February.

DEPARTURES.

June 17th Barque Maria, James Black, Master, to Cork.

Do. Do. Barque Barbara, J. W. Davidson, Master, to Liverpool.

Do. 18th Barque Prince George, J. Young, Master, to London.

Passengers.—Mr. Fenwick Captain Mills.

Do. 19th Ship Competant, Robinson, Master, to Liverpool.

Do. Do. Barque Lord Elphinstone, R. W. Evatt, Master, to Persian Gulph.

Do. Do. French Brig La Josephine, J. Pieik, Master, to Madras.

Do. 20th The East India Company's Schooner Royal Tiger, Mr. J. F. Jones, midshipman, to Persian Gulph.

Do. 21st The East India Company's Bengal Pilot Brig Orissa Mr. W. Hawse, Commg. to Aden.

IN HARBOUR.

VESSELS.	AGENTS.	DESTINATION.	TO SAIL.
A Steamer.....	Superintendent I. N..	{Persian / Gulf	4th July
Sulamanney..	Framjee Cawasjee....	Calcutta..	10th July
Ann.....	Dirom Carter & Co....	China.....	quick desp.
Golconda.....	Framjee Cawasjee Esq..		
Packet Boat Bordelais	Tho's Jeffries & Co....	Bordeaux.	10th July
Monarch.....	W. Nicol & Co.....	Clyde	Quick desp.
William.....	Skinner & Co	Culcutta..	ditto.
Wm. Sharples.... ..	Higginson & Cardwell..	Liverpool .	Quick desp.
Manchester.....	W. Nicol and Co.....	Ditto	ditto.
Albyn.....	Ritchie, Steuart & Co	Ditto	ditto.
Ann.....	W. Nicol & Co.....	London...	in. desp.
T. Worthington.....	Grey and Co.....	Calcutta..	28th July.
British Merchant....	Edmond Bibby & Co..	Liverpool.	
Thomas Coutts.... ..	B. & A. Hormasjee....	China.	15th July.
Surrey.....	D. & M. Pestonjee....	London.	in June.
Earl of Balcarras....	Remington & Co.....		
Triumph.....	Do.		
Regia.....	Eduljee Framjee.....		
Broad Oak.....	Remington & Co.....		
Johnstone.....	Dirom Carter & Co...	Madras...	
Wm Harris.....	Ritchie, Steuart & Co..	London ..	
Thetis.....	Dirom Carter & Co...		
Hector.....	Edmond, Bibby & Co..		
Eumont.....	Frith & Co.....		
Castle Huntly.....	Cursetjee Cowasjee&Co,	China...	end of June
Mahamoody.....	Monockjee Jeejeebhoy.	Penang & P. Gulph.	Quick desp.
Lady Wilmot Horton.	Bhicajee Rustomjee..	Zanzibar..	
Helen.....	N. Cursetjee and Co...	Calcutta..	1st July.
Fazal Curim.	Hajee Ebram Cadoo....	ditto.	26th June.
Indus.....	Eduljee Framjee.....	Sydney. ..	
Stalkarts.....	Frith & Co.....		
British.....	Skinner & Co.....		

* Where a Steamer will be in readiness to Convey a Mail to Suez.

H. M. Ship Jupiter.

H. C. Vessels.—Brig of war Euphrates.
,, ,, ,, Receiving Ship Hastings.
,, ,, ,, Steamer Semiramis.
,, ,, ,, Indus.
,, ,, ,, Shannon Schooner. At the Rock Station.
,, ,, ,, Thetis Light Vessel. Do. do. do.

Country Vessels.—Brig Tauze, Cambridge, Grab Ship Dowlut Savoy, Benares, Helen, Brig Grab Caudry, Patamber Savoy, Jeune Antoinette, Earl of Clare, Horton, Ardaseer, Fazerabany, Narsew, Fanny Bampertap, British king, Abouker, and Caledonia.

Arab—Ship Tauze

American—Barque A. Gracie.

HIGH WATER TABLE 22ND JUNE, 1839.

	MORN.	EVE.
Saturday.....	7 20	8 51
Sunday.....	8 24	8 55
Monday.....	9 8	9 22

THE COURIER.

SATURDAY, 22d JUNE, 1839.

The Hon'ble the Governor requests the Company of the Officers of Her Majesty's and the Honorable Company's Civil, Military and Naval Services, at a Ball and Supper, on Friday evening, the 28th instant at 9 o'clock, to celebrate the anniversary of the Coronation of Her Majesty.

E. DANVERS,—*Private Sect.*

Govt. House Parell, 20th June 1836.

The *Orissa* Mail Packet left yesterday morning for Aden with 5876 covers.

The following are the arrivals since our last, 18th June Her Majesty's ship *Jupiter* R. Fulton Esq. Commander from Colombo 18th May. American Barque *A Gracie* Charles Sugary Master from Muscat. 19th June, Ship *Abouker*. Archibald Mackechnie Master from Greenock 7th March.—20th June, ship *Caledonia*, Henry Connell Master, from Liverpool 26th February,

Passengers per *Gracie*, Messrs. Botsford and Parker Merchants, 3 Italians and 4 Arabs from Muscat.

The non-arrival of the Packet, and exhaustion of nearly the whole of the Budget brought by the last, enable us now to lay before our Readers a full Report of the late Trial of Larkins *versus* Lewis. The only Report that has yet appeared is so meagre and defective, full of errors, and as Mr. Lewis says, falsehoods, the former amounting to no less than 48, that parties, desirous of informing themselves of the merits of the case, would do well to put it aside altogether, as unworthy of any confidence. In our Report we have given the evidence at length, the productions founded upon by the parties, without which no correct opinion can be formed of the case, the speeches of Counsel and the summing up of the Judge, all, we believe with as much accuracy as it is possible to reach in any case in this country Upon the case itself we have little to say. It is a melancholy one in every point of view, melancholy as affording an instance of depravity in the better ranks of English Society, melancholy in particular as falling on members of the “ rigid righteous” class, melancholy as being caused by an insane attempt to graft these principles by force, to awaken a spirit of fanaticism in an uncongenial mind, whereby an affection, that appears at one time to have been ardent and sincere, was converted into bitterness and hate, and one of the holiest ties in life torn asunder and trampled in the dust. It is a hard lesson, but one worthy of being studied and laid to heart by those treading in the footsteps of the husband in this case. We have no desire to extenuate the guilt of any of the Parties, or in any manner to call in question the justice that has been applied to the case, but we do say, that Society, could have better spared a hundred Mr. Larkins' than one Mrs. Larkins, as she appears to us, talented, accomplished and the ornament and life of every circle, in the Correspondence and the Evidence produced on this unhappy trial

While going to Press, we were advised of the arrival of the Ship “ Colombo” Lieut. D. McKellar R. N. from Suez 22nd May, Tor 25th, Juddah 31st, Mocha 6th June, and Aden 8th June. One of the Passengers has kindly favoured, us with the following items of news.

The Colombo has brought the London Mail Packets of 13th April, and the Packets via France up to the 26th April; the former reached Suez on the 11th and the latter on the 17th May.

The “ Colombo” did not see the “ Berenice” or “ Atalanta” Steamers during the passage. At the date of the Ships departure from Aden, the Ship “ Coote” and “ Taptee,” of the Indian Nany, were lying in the Roads, and also the Private Ship “ Hannah” from Bombay.

The Passengers (a list of which is subjoined) experienced great incovenience, and disappointment from the non arrival of the “ Hugh Lindsay,” many of them had been residing at Suez for weeks, where the Accommodation for Passengers is most wretched.

There is no question that the time allowed Passengers to join the Steamer, after the receipt of the Packets, is too short, several of the Passengers by the “ Colombo,” were disappointed in not reaching the “ Atalanta” on the 17th April, tho' every exertion on their part was made, and in fact it is said that in most cases, it is by some mere accident, that any Individual, who arrives by the English Mail at Alexandria is able to reach Suez, previous to the departure of the Steamer.

The Steam Committee ought to investigate this matter; and they have now an excellent opportunity of ascertaining the details from the Passengers, who left Falmouth on the 18th April, and it is hoped, such arrangements may in future be made, so that the route via Egypt *Outward* may be rendered safe and expeditious. This is a matter highly deserving immediate attention.

The passage *Homeward*, from being enabled at once to embark at Bombay, and the excellent arrangements of the French Steamers, is accomplished with speed; and the only delay is having to perform the prescribed term of Quarantine at Malta.

Passengers by the Colombo.—Mrs. Du Vernet, Mrs. Blumhardt, Miss Turton, Colonel Farquharson, Bombay European Regt. Colonel Smythe, Madras Cavalry, Captain Houston, H. M. 4th Light Dragoons, Captain Shaw, 9th Regt. Bombay N. I. Captain Macan, 17th Regt. Bombay N. I. Captain Gillanders, 26th Regt. Bombay N. I. Lieut. Cartwright, 23d Regt. Bombay N. I. Ensign Goodfellow, 20th Regt. Bombay N. I. Captain Du Vernet, 24th Regt. Madras N. I. Captain Ouchterlony, Madras Engineers, T. E. Turton Esq. Barrister at Law, Captain Larkins, H. C. S. James N. Daniell Esq. of Canton, William Dallas Esq. Merchant, John Willaume Esq. Merchant, Lieut. H. A. Ormsby Indian Navy, Charles Bruce Artillery Cadet. John S. Kemball, Infantry Cadet, H. Clark Esq. proceeding to India, Archibald McAslan Esq. proceeding to China, Rev. H. Blumhurdt, of the Church of England Mission, Mr. Kise, Three Missionaries, from the Propaganda College at Rome

Mr. Kilmaur, and Mr. Felutza, Landed at Juddah, J. T. Webb Esq. Landed at Mocha.

Steerage Passengers.—Mr. G. Humphries, L. Fearon, and G Wood, Engineers Hon'ble Company's Service, Mrs. Powell, European Servant, 4 Male Native Servants, 3 Female Do. do.

The Political News by the Packet is said not to be of much importance, barring Lord John Russel's having carried his motion in the House of Commons, respecting the Irish Administration, by a Majority of 22, which of course secures to the Whigs the possession of power for some time longer.

War has been declared between Turkey and Egypt. The Army of the Grand Seignior has crossed the Frontier and Ibrahim has taken the field also—Mohammed Aly was at Alexandria and exerting himself energetically to meet the storm. The whole of Ibrahim Pacha's wives and children had arrived there from Syria.

We hope, in the course of the day, to be able to publish an Extra, entering fully into details. As yet we have received neither Papers nor Letters.

Sir John Awdry was yesterday sworn in as Lord Chief Justice, and received a salute of 17 guns upon the occasion.

We regret being obliged to postpone till Tuesday, the publication of the list of Subscriptions to the Native Dispensary, which gives a very flattering picture of the estimation in which that excellent institution is held by the Community here.

We understand that a subscription is being made among the private friends of the late Mr. John Grahame, to erect a monument over his grave at Kandalla. We hail this as a proof of the affection in which he was held, as well as a proper tribute to the memory of an amiable man and excellent public servant. The subscriptions in Bombay already amount to nearly 2000 Rupees and lists are in circulation, at several of the outstations, and also lie with the Head Purvoes at the Bombay and Poonah Post Offices, so that there can be no doubt the requisite sum will be obtained.

In glancing over the recent Shipping Lists in Bengal, we observe that they present a new and highly interesting feature, in the Commencement of Opium Exports to the Burmese Territories, America, and England—To what extent this New Trade may be expected to relieve the Calcutta Stock of the Article detained and accumulating there by the recent occurrences in China, it is not easy to guess, but, so far as the United Kingdom is concerned, we should imagine that Shipments to that quarter for Home Consumption, are not likely to encrease to any large extent—The use of Opium in England has been most satisfactorily proved to be on the encrease, but we believe has never yet exceeded 40,000 lbs., equal to about 260 Chests of Patna Opium, while the quantity re-exported again to other Countries seems to range about twice that quantity—England has hitherto been exclusively supplied from Turkey, the Opium from which has of late years Sold from 10*s.* to 16*s.* per lb., and although the Patna, now on its way home will recompense the Shipper at 5*s.* per lb., yet great allowances must necessarily be made for the disadvantages it will have to contend with against a superior quality long adapted to the Taste of the Country, and the improbability of the consumption of such an article being stimulated by cheapness, in any material degree, at least for some time.

We believe that towards the end of last century, the Bengal Opium was occasionally exported to the continent of Europe, but from its not having been followed up, we presume it was not found to answer.

The *Calcutta* Papers, we observe, have published the official Despatch of Mr. Macnaghten, announcing the capture of Kandahar, which differs, in no material respect, from the accounts derived from private sources that have appeared at different times in this Paper, excepting in confirming what we conjectured, at the outset, would be the case, that the Sirdars before decamping had plundered the Town and committed all sorts of excesses. The same Papers speak of a Report being prevalent at Simla, of a large Persian Force with Russian officers attached, being on the march for Herat, but as this is nothing more than a repetition of former stories to the same effect, and as we have letters before us from Kandahar to the 15th ultimo, making no mention of any such Report, we regard it as entitled to no credit whatever. We shall glean from these letters a few items of intelligence that appear to us to be new. Those of the 12th May mention, that as the refractory Sirdars had refused to come in and submit to Schah Soojah, a Force had that day been sent against them under Brigadier Sale, consisting of 2 companies of H. M. 13th Light Infantry, a Bengal Native Regiment and some Cavalry and Artillery, with orders to take them Prisoners if possible. A Vakeel was expected from Dost Mahammed every day, but what his plans were or how he intended to act, was entirely a matter of conjecture, nobody knew any thing at all about it, one said *fight*, another *flight*; whatever his determination, however, may be, Sir John Keane's movements will be little influenced by it, for his determination was to move on to Cabool, as soon as ever grain and other stores could be collected for his people. Every thing was very dear and scarce, and it would so continue until the new harvest was reaped. The Horses were for the present fed entirely upon lucerne, barley being as dear as flour, which was selling at a seer or a seer and a half for a rupee. A convoy of provisions was however daily expected from Shikarpore, which would furnish a seasonable supply. One says "we manage to fare very well ourselves, but I expect our Mess Bills will be rather large. Sir John is determined to take us on as soon as he can to a colder climate, for the heat here during the day is very great, though the nights are cool and pleasant. This letter is written on Russian Paper which is the only kind to be had here." The following particulars are furnished us of Major Daly's affair; "The 4th Dragoons had a smart skirmish about a fortnight ago with a large body of these Robbers; they had attacked the party of a Serjeant and 12, who were watching their Camels; one of them rode in to give the intelligence and Major Daly forthwith sallied out at the head of a Troop, and came on them in a large Nullah about 5 miles from Camp; at this time the Troop had divided into parties of 10 in different directions; Major D's party came on the fellows, about 300 of them armed with matchlocks swords and Pistols, they allowed the Dragoons to come close on them, when they gave them a volley; one of the Party, in relating the affair to me, said it was quite a miracle how they escaped! one horse was shot through the head, but not dead, he came home; another was shot in the knee, a third had an awful gash in his hip, one of the men was struck on the head by a ball, but it only grazed, Major Daly had a narrow escape, a Ball passed across his chest, ploughing up the skin, after passing through his jacket, flannel jacket and shirt! he however had his revenge, the Dragoons got down into the Nullah among them, and shot and cut to pieces about 40 of them. Major D. killed no less than six himself with a Boar spear. They were fine handsome men, showily dressed in the Persian costume; some of them had been in Camp the forepart of the day, part of them were horsemen; this had the desired effect, they never molested us afterwards." The same officer states that the Force to which he belonged had suffered greatly for want of forage and provisions, and that he himself had lost 4 Camels and 2 Bullocks, but that Government were pledged to make good these losses. There had been a good deal of sickness in the Queens, Col. Baumgardt had been ailing for some time, Captain Keith caught the illness that carried him off, by being out on Piquet on a very damp night, Major Carruthers had also been suffering but was better, and Lieut. Wingate was laid up with fever, and our Informant concludes his Bead roll thus, "Old Willshire stands like iron, he is a wonderful Old Boy, manages every thing like clock work. I don't know what we should have done without him." The neighbourhood of Kandahar is described as pretty, the Hawthorn, Dandelion, sweet briar and willow, growing in profusion on the banks of the ditches, and calling up home feelings, but the fruits are said to be bad—bad peaches, bad mulberries and Crab apples. Good Grapes were however expected. The Kandaharries are described as a fine looking race of men, The letters of the 15th May add nothing to the above. The latest letters from Bombay were to the 24th of March. Posts very irregular.

We quote from our cotemporary the *Durpun* an account of the Durbar held at Parell on Tuesday last. It is most gratifying to see that so perfect an understanding exists between the Honble the Governor and the native community, particularly in regard to that point, which touches them nearest, the non interference with their religious sentiments and prejudices, upon which Sir James, we are happy to see, was very explicit. This we sincerely trust, will serve to calm any irritation arising from the late proceedings, that may yet remain on their minds.

The *Chabook*, as will be seen from our Extract, represents the Cholera as existing in great force at Dhoolia and Bangalore. We think the account must be exaggerated to some extent, else more would have been said about it, in the Local journals.

We hear that Lieut. Chapman effected his escape, the other evening, from Fort George, in a very dexterous way, by first filling the guard, that was placed over him, consisting of 3 men, drunk and adding an opiate to the last sop, then, while they were insensible, mounting and forcing a passage through the roof of his room, scaling various roofs thereafter, and at length descending into the Court by means of a rope that he had prepared for the purpose, and walking deliberately through the Court yard, and as he passed the Sentinel, censuring him severely for the improper violence with which he called the word, to an officer in Her Majesty's service, and all this was done unobserved of any one, save a native servant of one of the officers in the Fort, who did not interfere, because it was none of his business. All search for him since has been in vain, and it is now generally believed, that he has made his escape from the Island.

It is commonly observed that, when a concern is sinking, those connected with it become profligate in habits, reckless of character and consequences, and addicted to every species of low and despicable vice. Sometimes we have known such persons put on the character of Saints, if there was but the most remote chance of any body or thing being gulled or gained by it, while at heart they are sinners of the deepest dye; at other times such persons are to be seen railing at the world, abusing fortune and finding gratification in throwing dirt at all and every one around them, as if this afforded a solace to them in their humbled and degraded condition. Something of this struck us as applicable to our cotemporary the *Gazette*, when we read his two late articles, honouring us with his censure, but particularly the last wherein he, as it were, constitutes himself Censor General of the Press of this place, and under the assumed garb of Saint, though in language and spirit sufficiently unsaintly to expose the cheat, attacks and vilifies and abuses us, and every one else, with the most unblushing effrontery. Some will say to us, why notice a *thing* of that sort, which nobody regards, whose opinions are worth nothing, whose censure is your praise? Our answer is that so long as it was confined to fanatic effusions, to low abuse, to misquoting, misrepresentation and falsehood, we treated it with redicule or with contempt, but the case presents itself now, under a more serious form, and requires to be more seriously treated, in as much as a charge is made that not only reflects upon parties with whom we are closely connected, but attempts to establish our want of freedom and independence in the management of this Journal; And upon what is this charge grounded? Upon a private and confidential letter written by us to one, who thought himself aggrieved by the proceedings of his countrymen against him, who asked our assistance and advice in his troubles, and to whom we wrote freely, in the confidence that private correspondence ought to give, blaming him for the course he had taken, as certain to prove ruinous to him, and excusing ourselves from taking any part in the dispute, for a reason that none could have misunderstood, but a fanatical blockhead like the writer in the Gazette, vizt. that one of the Gentlemen, with whom we were connected, was personally opposed to him, as he himself (our correspondent) had assured us. Had it been a matter of public interest, or other than a mere private dispute, our course would have been, to have declared war against our correspondent, in order to realize the inference drawn by the *Gazette* from the terms of our Letter; but did we do so, have we ever shrunk from taking part in any of the discussions of the day, or shewn a bias opposed to the popular interest? We utterly deny that we ever have, or that in our position we are under any influence whatever, save and except the respect that is due to those, with whom we are connected, which never can in any degree stand in the way of our public duty, though this will be unintelligible to the grubs that write to the Gazette. But to return to the aforesaid Letter. It would appear that the Party to whom it was addressed being a native, and not perhaps fully understanding what is due to a confidential Letter, took it to the *Gazette* Office, from no bad motive as concerned us we are quite inclined to believe, in order to show the Editor that we were not disposed to insert the article referred to. Had the Gentleman in question possessed a spark of the feeling appertaining to the title we have given him, he would have refused to look at the letter and told the bearer of it, that it was improper in him to shew it to any one. But how on the contrary did he act; he reads it, treasures its contents in his mind, and after many weeks, when he thinks its publication would serve his dishonorable ends, sends his humble coadjutor and creature to the owner for the letter, obtains it, under false pretences, and only upon a solemn pledge that no improper use would be made of it, and then cautiously and deliberately, for he gave notice of his intention, publishes it in his paper, without asking the consent of the owner, but in violation of his pledge to him and of every rule recognised as binding on society in such matters We do sincerely believe that the veriest groundling, the earthiest of the earthy, the man who was dead to the sense of shame in every thing else, would have blushed at perpetrating an act of this sort, an act that he must have known could only be committed at the risk of infamy, if detected. Where now is the chaplet that the *Gazette* was to wreathe for us;—is it not rather to be found in a hempen rope fitted for his own neck, and will not he admit that "his pleasant vices have been made the whips to scourge him." We have been reluctantly compelled to speak in these harsh terms, and even yet feel a disposition to exempt the reputed Editor, whom we met once and thought a quiet inoffensive young man, from the major part of the blame of the transaction, though not from being accessary to the furtive abstraction of the letter, nor from the odium and disgrace attached to its publication. The offensive articles are the work of a coadjutor, who owes his inspiration, as well as his victuals, to the Academic Groves of Girgaum, that abode of innocence and virtue, whence is to issue that light that is to illuminate this benighted land, that hallowed ground where least of all one would have dreamt to find the passions raging unbridled, and breaking out into the excesses, the indecencies, the violence that are displayed in the writings of our cotemporary. On this subject, we find an observation in the letter of a valued correspondent, himself a pillar of the cause of education as it should be, which comes in very pat to our purpose here; "It is rather a curious *phenomenon* in such a controversy to see, what is assumed to be the more religious side of the question, supported by such a grotesque mixture of blackguardism and fanaticism." The *gentleman* will easily understand to whom this is meant to apply, and to him, by way of conclusion, as the Iago of this Drama, we would reiterate Emilias benediction, beginning "O Heaven, that such companions thoud'st unfold" &c.

We have done violence to our own feelings, as well doubtless as to those of many of our Readers, by the coarseness and severity of our tone, but we have purposely adopted that tone, in order that it may penetrate the thick hides of our antagonists, and upon the principle that it would be folly to set venison before a cur, or any thing dressed *a marveille* before an Esquimaux, and so we have done. We have touched pitch and defiled ourselves for once, but it shall be for the last time, let our cotemporary fume, fret and be as insolent and presuming, pious or ribald, as he may. The publication of our Letter is enough to decide the footing on which we must stand towards each other for the future.

SUPREME COURT BOMBAY.

LARKINS v. LEWIS.
Action for Crim Con.

This Action was called on for Trial on the 12th instant, when Mr. Campbell Counsel for the Defendant stated, that he was anxious not to add to the painful feelings of the Plaintiff, and offered to assent to a verdict for the Plaintiff, with reasonable damages (looking to the circumstances and profession of the Defendant) rather than occupy the time of the Court, and bring about a detail of the particulars of the case which could tend only to produce the most painful feelings in the minds of all parties concerned.—The learned Counsel then proposed that one thousand Rupees damages should be assented to. The Advocate General and Mr. Montriou the Counsel for the Plaintiff expressed their readiness to aquiesce in any course, consistently with the Plaintiff's interest, that might obviate the necessity of going into evidence of such a nature. The Defendant was shortly afterwards brought into Court under a Writ of Habeas Corpus, and a considerable time was occupied in consultation, between the Counsel for the Plaintiff and Defendant, and with the Defendant, which ended in the Advocate General announcing that there was no probability of their agreeing as to terms, and that he regretted the trial must go forward, and requested his Lordship to fix Friday morning, for that purpose, which was ordered accordingly.

Friday 11th June.

Mr. Montriou for the Plantiff opened the Pleadings, and then addressed the Court as follows:—

This is an action for Criminal conversation with the Plaintiff's wife, the damages are laid at 50,000 Rupees and the Plea put in by the Defendant is *Not Guilty*. The Plaintiff in this action is well known as a Solicitor and an Officer of this Court, and as holding for many years a high and most respectable station in Society. The Defendant came to Bombay to follow his Profession as an Artist and brought with him letters of introduction which procured him admission to the first society of Bombay. About the month of August last the Plaintiff was introduced to the Defendant, the result of which was an arrangement that the Defendant should take a portrait of Mrs. Larkins, the Plaintiff's wife. The Plaintiff and Defendant had not long been acquainted when that acquaintance ripened into a strong and sincere friendship on the part of the Plaintiff.—Letters will be produced and put in evidence which prove the terms of intimacy and apparent friendship upon which the Plaintiff and Defendant then stood. The Defendant finally became a visitor and an inmate of the Plaintiff's house.—I shall not my Lord go into any detail in addressing your Lordship, upon the consequences, the detrimental consequences to society, and the injuries to the Plaintiff arising from the conduct of the Defendant;—it will be unnecessary for me in addressing your Lordship in the place of a Jury to comment upon these, I shall merely say that there was the most unsuspecting confidence reposed by the Plaintiff in the Defendant, while I will shew the peculiar guise in which the Deft. clothed his artful and guilty designs. If there be any thing to distinguish this case from others of the like, but always of the most painful, description, it is the remarkable mode of the deception practised by the Defendant by assuming the garb and appearance of Religion. The Force and arms laid in the Declaration will be sufficiently borne out by the deceptions practised by the Deft. I shall not comment upon the Evidence that I shall adduce of the pretensions to Religious feelings, and the instances of gross Deception by the Defendant, but will leave these matters to your Lordship's judgment. The Plaintiff is well known as a truly Religious man, his object in admitting the Defendant to his house was to cause or rather afford the Defendant an opportunity of joining in Religious and Devotional exercises. The Defendant, after his becoming an inmate of the house, daily joined with the Plaintiff and his wife, in family prayers and took a prominent part in meetings held for the purpose of prayer and of reading and expounding the Scriptures and in other Religious and Devotional exercises; this continued for nearly a month, when it ended in the seduction of Mrs. Larkins. On the 22d of September last, the Defendant and Mrs. Larkins eloped, at a time when the Plaintiff could not be the least suspicious of their intentions. They went together in the ship Fortfield from Bombay to Bushire, living on board as man and wife; the Defendant afterwards returned to Bombay, (why, it is not for me to enquire) and this action was brought. Your Lordship will recollect the attempt that was made to avoid exposure, the Plantiff is and must be most anxious to avoid this, from feelings towards his friends and to society, he must be most anxious not further to lower this unhappy woman; but if some enquiry did not take place, it might and perhaps would be said that he was alone to blame. Rumours have been circulated, indeed more than rumours, that Mr. Larkins had not been a kind and affectionate husband, that his conduct to his wife had been harsh and cruel, and such as was most likely if exposed to temptation to lay her open to the artifices of a seducer. But the Plaintiff's faults, if faults they were, were on the right side, he was too indulgent, too kind a husband,—and I come here to defy and refute any imputation that may be attempted to be thrown on my client, for why else than further to injure him should the Defendant attempt to extenuate his conduct by circulating rumours of this kind. I do not know that it will be done, but it would be open to the Defendant to shew, in mitigation of damages, that the Plaintiffs treatment of his wife had been harsh and cruel, but it will be sufficient for me to shew that the Plaintiff had lived with the woman he had loved, whom he had taken to the altar for life, who had born 3 children by him, that he had lived with her in a state of mutual happiness for nearly ten years. Although the Plaintiff comes here to complain, this is not the mode by which such an injury can be repaired, an injury at all times immeasurable, but here grossly so. I shall shew the connubial happiness in which the Defendant found the Plaintiff and his wife. I will not however now detail the evidence as your Lordship will know when it comes before you what should and what should not be considered; it will be sufficient for me to mention some facts connected with the Plaintiff's family, rather than go through the evidence as I should were I addressing a Jury.

The Plaintiff and his wife were married in October 1829. I have the admission of the Ceremony of marriage having been performed, but the Defendant has qualified this admission, by adding that the ceremony had taken place without the consent of their parents, although he admits that Mrs. Larkins was then of full age. The truth is that before the ceremony was performed the consent of the parents of both had been obtained, but so ardent were their affections that they did not wait until that time when the Parents thought it prudent that they should have done. The wife's father has been on the best terms with the Plaintiff, and when he has visited Bombay has lived with the Plaintiff and his wife. The Plaintiff and his wife lived together in England from the time of their marriage until February 1832, when the Plaintiff came to Bombay to practice as a Solicitor, from thence until February 1833 a continual and most affectionate correspondence subsisted between the Plaintiff and his wife. In June 1833 Mrs. Larkins joined her husband in Bombay, during part of the following year the Plaintiff and his wife visited Colonel and Mrs. Dickenson, and we shall hear from Mrs. D. what terms they were then upon, and from others the state of connubial happiness in which they lived. In the early part of 1836 Captain Andrews (Mrs. Larkins's father) and family came to Bombay, and resided in the Pltf's house. In July following. Captain A. returned home and took with him, Mrs Larkins, who in consequence of medical advice proceeded to England. From that time an affectionate correspondence was kept up until April last year, and then and then only Mrs. Larkins returned. Here it might be supposed, where her desertion followed so close, that for some reason or other they were not so cordial, not so happy, and that there were more opportunities for the Deft, to accomplish his designs; but I will shew that the same affection existed, indeed more, and that it was strengthened by Religion. The Plaintiff had always been known as a moral man, but had become more strict in the performance of his Religious duties,—and he might be apprehensive that Mrs. Larkins, a most accomplished woman, might not coincide with his views, but I will shew that she did, and that they lived happily until the Defendant was admitted to their house, I cannot tell when the secret working commenced, but in less than two months all was accomplished. There are, two children now living the fruits of the Plaintiff's Marriage—one about 3½ years, the other two years and a month old, I mention this as a fact which was known to the Defendant, and which must enhance his guilt; the youngest, was living with the Plaintiff and his wife at the time of the seduction. I have numerous letters to put in, but will read parts of them only, leaving it to my learned friend to ask for more;—it would occupy too much of the time of the Court if the whole were read. During the first separation, I have a long letter dated in April 1832 from Mrs. Larkins to her husband. (*The Defendant's Counsel interposed and admitted that a very affectionate correspondence had existed between the Plaintiff and his wife during that separation.*) Mr. Montriou then read a passage from the letter referred to, to shew that Mrs. Larkins then possessed or wished to be thought to possess most religious feelings.

The learned counsel, next read a passage from a letter during the second separation in 1836, written in the course of Mrs. Larkins's passage home, of the most affectionate description and teeming with expressions of a deep religious feeling.

I ask now did they or not separate on terms of affection? The last letter that the plaintiff received before his wife's arrival is but short, and as I have read the first I will read the last, there were many intermediate letters—the letter read was dated September 1837.

He next read a letter from the Defendant, to the Plaintiff just before he become an inmate of the Plaintiff's family, expressing his gratitude at having been awakened to the sense of his previous sinfulness in the world, and to the beauties of our Religion, and relying upon the mercy of the Almighty to save him from the sea of trouble and misery he was insolved in.

The 18th of August last is the date of this letter, and on the 22nd of the next month, September, the act was committed of which we complain. Another letter from the Defendant was read also abounding with Religious expressions, written about the same time but which is not dated.

Nothing more remains for me to observe than to anticipate what may be said on the other side from my not giving any evidence of the property of the Deft. Evidence of this sort has however been decided by the Judges at home to be unnecessary and inadmissable in actions for Crim. Con. (The Learned Counsel cited the case of James v. Biddington 6th Carr. and Payne's Reports 589, tried before Mr. Baron Alderson) In this case evidence was rejected. I therefore offer none, and will object if any be tendered by the Deft.

Mr. Montriou puts in an admission of the marriage The De Bene Esse Examination of James Sly Captain of the Fortfield and of G. Mc Kibb on put in and read for Plaintiff.

James Sly sworn and examined by *Mr. Montriou*—my name is James Sly, I am Master of the ship Fortfield now in this Harbour; I was Master of her in September last; on the 22nd of September the Fortfield was then lying in Bombay Harbour, I know the Defendant in this case Frederick Christian Lewis.

I only knew him as passenger on board the Fortfield, I saw him about two or three times, about two or three days, before the ship sailed from hence, that was in the Office of Aga Mahomed Rahim Sherazee when he was about taking his passage. The ship sailed on the 23rd of September, Captain Sly now states that the means the 23d of September by nautical time; I cannot tell what passed at the time of his taking his passage I had no option whatever as to taking or refusing passengers as Aga Mahomed Rahim had the management of all that concerned passengers as well as freights. I am sure that the ship sailed on the 23rd September. I was not aware until half an hour before the ship sailed that Mr. Lewis was himself the passenger who was coming. I first became aware of it on asking my Chief Officer who were the passengers on board.

The ship weighed anchor within an hour after I went on board I found on board a Dr. Mackenzie, a Mr. Marshall, Mr. Lewis, a Lady, and her European female servant. The lady occupied an after cabin with Mr. Lewis, I had no communication with Mr. Lewis on my coming on board Mr. Lewis and the Lady occupied and slept in the same Cabin, I looked upon them as man and wife; at any rate it was evident they lived as man and wife—we first proceeded to Muscat from hence and touched there after a voyage of twenty days, no change occurred in the mode in which Mr. Lewis and the Lady lived, nothing to attract my attention, I noticed the action of the two or three first days they both dined at the Cuddy table. They were by no means in low spirits,—When we reached Muscat I received some letters by Comm dore Brucks, eventually there was nothing done as to these. Commodore Brucks did not himself give me the letters—I saw commodore Buckes at that time on Board his own Ship and mine, some conversation passed on Board my Ship between Mr. Lewis and myself and between Commodore Brucks and Mr. Lewis. I called Mr. Lewis on one side after I had received the letters and informed him of the substance of them, I stated to him that I had received letters from Bombay from Mr. Larkins which informed me that the Lady on Board with him was Mr. Larkins's wife. I told him Mr. Larkins requested of me in his letter to send Mrs. Larkins back to Bombay by the first opportunity: That there was then a Buggalow riding at the Harbour's mouth ready to sail for Bombay in which I was determined to put her under the charge of her husband. He talked a good deal about Mrs. Larkins having been ill used and that she certainly would not go back to her husband, and that he was determined to protect her from any personal violence being used towards her, He then went down to speak to Mrs. Larkins, when he came on deck again in a few minutes he accosted Commodore Brucks and had some conversation with him regarding the elopement of Mr. Larkins but I can't pretend to say precisely what were the terms of it. I heard what was said. The substance of the greater part I heard was the comments in the Bombay newspapers on the subject of the elopement of Mrs. Larkins, nothing further took place at this time on the subject. I am wrong, I was sent for by Mr. Lewis who said that Mrs. Larkins wished to see me in the Cabin, I went there accompanied by Mr. Lewis; I found Mrs. Larkins weeping violently. She told me that Mr. Lewis had informed her that I intended to put her on board a Buggalow bound for Bombay. (This was said in Mr. Lewis's hearing,) but that nothing short of absolute force should separate her from him, nor would she allow herself to be put on board any vessel for Bombay, Her expression was I will not be sent back like a bale of goods. She told me she knew perfectly well I had no power to constrain her actions, that she was perfectly free, and that if I offered any violence she had friends at home who were able and willing to protect her, and would protect her against any illegal violence offered to her person or her liberty Nothing more that was material passed that I recollect repetitions of the same thing from Mrs. Larkins—I do not recollect that any thing more was said by me, I went on deck and informed Commodore Brucks of our conversation, Mr. Lewis did not accompany me on deck immediately. He remained below, Commodore Brucks left me in a few minutes after and went on board his own vessel; neither Mr. Lewis nor Mrs. Larkins had any further conversation with Commodore Brucks, Mr. Lewis said to Commodore Brucks he was perfectly welcome to see Mrs Larkins, I cannot say whether this was before or after I went to the Cabin. I am positive it was said by Mr. Lewis, Commodore Brucks said he would go down and see her provided Mr. Lewis was not present at the interview. Mr. Lewis replied that Mrs. Larkins would not see Commodore Brucks except in his presence, after Commodore Brucks left the ship, nothing particular attracted my attention as to Mr. Lewis and Mrs. Larkins, they dined together at the Cuddy Table three or four times afterwards, no alteration took place in their conduct or mode of associating together. We did not remain more than an hour at Muscat after Commodore Brucks's visit. We got under weigh and sailed that evening. We proceeded to Bunder Abbas, we staid there eleven or twelve days, we delivered a considerable part of our cargo there, nothing particular occurred while we were there, after we had left Bunder Abbas we proceeded to Bushire; nothing occurred on the Voyage to Bushire; at Bushire Mr Lewis and Mrs. Larkins landed. I had frequent conversations on the subject with Mr. Lewis on the Voyage from Muscat and while they were at Bushire, and before they landed there. I had no object in entering into conversation on the subject I never attempted to say a syllable on any subject of importance unless he Mr. Lewis introduced it himself. The morning after we left Muscat he introduced the subject himself I don't recollect the commencement of the conversation. He alluded to the unfortunate step he had taken, and expressed his regret that he should have done so. I don't recollect any thing particular beside. The General tenor of the conversation was the unfortunate nature of the transaction how much he regretted the results to which it had led, that the Lady had thrown herself on his protection and that he was bound in honour to protect her, my remarks were simple regret on my part that he should have embarked in any such improper undertaking, other subsequent conversations between us referred to the probable manner in which the British Resident at Bushire would act on the occasion. Mr. Lewis and Mrs. Larkins landed together at Bushire. I next again saw him at Bushire casually once or twice, I remained there seven weeks. I saw him again some days before we sailed. I had no conversation with him, I had no opportunity for any. I never saw Mrs. Larkins from the time she left the Fortfield to this time Mrs. Larkins passed by the name of Mrs. Lewis while on board my ship; after I left Muscat Mrs. Larkins was seldom addressed by any one except her husband and servants; during the whole period after we left Muscat she was addressed as Mrs. Lewis Dr. Mackenzie and Mr. Marshall left us at Muscat Mr. Marshall had always intended to do so so Dr. Mackenzie left us to go on board Commodore Brucks ship in order to get to Bushire sooner. Mr. Lewis returned with me in the Fortfield to Bombay. I first learnt his wish to return with me eight or ten days before we sailed from Bushire I learnt this from the Supracargo. Mr. Lewis spoke to me on the subject but for the reasons I have before given I had nothing to do with the arrangements for his passage. Mr. Lewis came on board alone I had no further conversation with him during the voyage to Bombay on the subject of the Elopement.

Cross Examined by Mr. Ayrton.—The letters from Mr Larkins and Aga Mahomed Rahim which I received while on board were in Triplicate some of these were destroyed, some are now on board my ship. I was not requested to bring them here nor to keep them back. In the conversation I had with Mrs. Larkins on board she said she had been very ill treated by her husband but she entered into no particulars she said if I knew all I should be induced to pity her; she expressed no wish to join Mr. Larkins, she declared positively she would not one of her expressions was that she would jump overboard and drown herself rather than join him. I conjectured that she

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stated the ill treatment as a reason, I supposed the cause of her weeping when lentered the cabin was the communication which Mr Lewis had just made to her, she was highly excited all the time the interview lasted; she remained on board, because I did not feel myself justified in using personal violence towards her according to Mr. Larkins wishes, and without personal violence I could not have removed her, I saw nothing particular in Commodore Brucks's manner while he was on board, Every body knows he is not the most polished man in the world, his manner might have been a little abrupt. I perceived nothing particular in her manner to Mr. Lewis he was serious and warm on beinalf of Mrs. Larkin , he was not rude in his words I had never any further conversation with Mrs Larkins on the subject of the elopement. Three or four times some conversation passed between us at the Cuddy table she had some attacks of hysterics before she went on shore in consequence of some difficulty in procuring accommodation.

Re Examined by Mr. Montriou—I can produce some of the letters from Mr. Larkins and Aga Mahomed Rahim, I must however go and fetch them myself. (Captain ly here goes away to fetch these letters) on his return, Examination continued. The letters now produced are the only ones I have remaining of the letters I received from Mr. Larkins and Aga Mahomed Rahim Sherazee. I received one letter from each of them, in triplicate, the letters I now produce are one of each of those letters. I do not know in whose hand-writing the letter from Mr. Larkins is (letters A and B deposited with Prothonotary) I looked upon all the letters as originals the triplicates of each letter were in the same hand-writing they were addressed to different places and happened to receive all three as the letters were directed, at Muscat, at Bunder Abbas and Bushire

GEORGE MC'KINNEY, Sworn, and Examined by MR. MONTRIOU. I am Chief Officer of the Fortfield, and in September last, I belonged to her as Chief Officer. I know Mr. Lewis the Defendant in this case. I first had communication with him a few days before the Ship Sailed from Bombay in September last. I first saw him on board the Ship. He came on board to see the accommodations. He said he was going to take a passage for a friend of his a Mr. Lewis. I did not know his name at that time. He said this friend of his named Mr. Lewis was some distance out of Bombay, that he would have to make some arrangements for detaining the Ship a couple of days, this was all that passed at that time. I cannot recollect the day of the month, it was about the 20th of September, he got the ship detained for three days and came on board the day before we were to sail. I think the day on which the conversation passed, was the day on which the ship originally intended to have sailed she did not sail on the day originally intended. I next saw Mr. Lewis when he brought part of his baggage He addressed nothing in particular to me. I was not then aware that it was his baggage. I first became aware it was his baggage the Evening before he sailed. Having to give me an order to receive them on board, he did not give me that order but said, I suppose you are aware that it is I myself who am going. I merely said his order was of no consequence, I had no further conversation. He went with us. There was a Lady and Gentleman in one Cabin. I mean by the Gentleman. Mr. Lewis, I first saw the lady about an hour and a half before we sailed, I saw her first in the bunder boat alongside the ship, she had a female servant with her. I was aware Mr. Lewis had told me, there was a lady and servant going on board, I cannot recollect when it was he told me, I rather think it was when he brought his baggage I went down to see the lady come on board, over the side; when she got on board she went into the Cuddy for a short time. Until we broke the Cabin door open. Mr. Lewis had taken the key away with him, I addressed the lady as Mrs. Lewis, the lady asked me to break the Cabin door open, I addressed her as Mrs. Lewis hearing that she was the lady of Mr. Lewis, and him for husband and wife. The lady asked for Mr. Lewis's Cabin

Cross Examined by Mr. Aryton.—Her female Servant came in the boat with Mrs. Lewis, no one else that I am aware of.

By Mr. Montriou,—Mr. Lewis, came on boardabout half an hour after the lady, it might have been an hourI think it was less then an hour

By Mr. Aynton.—My business is not as to the passengers I have nothing to do with them, when I asked Mr. Lewis for the order he gave me his name.

By the Chief Justice.—Mr. Lewis and the lady came on board from twelve to two o'clock in the day, we sailed about three or four o'clock in the afternoon. I think the day we sailed was on Saturday. I cannot say whether the next day was a Sunday. I know the day was the twenty third by Nautical time, the Nautical day commences twelve hours sooner than the common day.

The learned counsel then proceeded to call the Witnesses for the Plaintiff.

Ballooo Cannojee sworn. *Examined by Mr. Montriou.* I was Mr. Larkins Coachman. I am now in the service of Genl. Fitzgerald In eptember last I was in Mr. Larkins service. I used to drive Mrs. Larkins out in the Carriage. I recollect the last occasion that I drove her out, it was from Mr. Larkin's house to the Appollo Bunder landing place. The nurse or ayah was with her; an European nurse, only her and madam. They got out of the Shigram and Mrs. L. told me I might go away, she said, take away the carriage I will come back in a Palanquin. I then took the carriage to my master's Bungalow. I remained in Mr. Larkin's service one month and three days, during that time Mrs Larkin's did not come back, I have not seen her since. It was past one or about two in the afternoon in the native month of Baduar or English month September.

Mary Richardson. examined by Mr. Montriou—I am in the service of Mrs. Larkins I have been in her service 18 months— until the month of September last Mrs Larkins resided in Bombay with Mr. Larkins, she has not resided with him since,—she left him on the 22nd of September. I went with Mrs. Larkins when she left, we left the house in the Shigram and went on board the Fortfield and went in the Fortfield to Bushire. We had two cabins on board one for Mrs. Larkins and one for myself. Mrs. Larkin's did not occupy her cabin alone but with Mr Lewis.—witness points out the Deft Mr. Lewis,—he had been previously staying with Mr. Larkins, we were about 2 months on our voyage to Bushire; Mrs. Larkin's was called Mrs. Lewis while on board Mr. Lewis and Mrs. Larkins lived as man and wife on board the Fortfield. When we arrived at Bushire Mrs. Larkins still lived with Mr. Lewis, Mrs Larkins and Mr. Lewis lived at Bushire about 2 months in the same manner as they did on board.

Cross examined by Mr. Campbell.—I came from England with Mrs. Larkins I lived constantly with Mrs. L. from her arrival in and until she left Bombay. I had during that time frequent opportunities of seeing the terms on which Mr. and Mrs. Larkins lived. I was a great deal with Mrs. Larkins during the day—about a week after Mrs. Larkins arrived Mr. L. commenced treating Mrs. L. very unkindly altho I heard Mrs. L. promise to give up all kind of gaiety as Mr. L. wished it. His unkindness was the tyranny he endeavoured to exercise over the mind of his wife I mean that Mr. L. would not allow Mrs. L. to have any opinion of her own, nor allow her to read any other than Religious books. Mrs. Larkins wished to read Works of History, but she never read novels. Mr Larkins considered the reading any other works than Religious works a waste of time, and that all knowledge other than religious knowledge was a device of the Devil—Mrs. L. did not agree with him, because she did not think so. This difference of opinion was the cause of so many quarrels between them—I was frequently present at these quarrels Mrs. L. upon these occasions always behaved with great amiability and tried to puta stop to them—but Mr. L. would insist on knowing Mrs. L's opinion; and as her opinion differed from his it was the occasion of these quarrels. There was always a discussion upon these subjects, it generally terminated with Mrs. L's crying and leaving the room neither party recanted the opinion they had given—this was not always the case,—on those subjects which Mrs. Larkins could agree with him she did, but on Religious subjects she never did. I recollect, a quarrel that took place one evening when Mrs. Larkins returned from a drive, she had been very poorly all day, and she lay down on the couch in her dressing room, and the conversation commenced by Mrs. L's talking of her own family, and she was speaking in praise of her brothers, and Mr. Larkins said he knew she thought there was no one in the world like her brothers, and said that if she had but half as much affection for her husband as for her brothers it would be better for her,—he said he know Mrs. L. thought him a fool and that she endeavoured to persuade other persons to think the same, and that he likewise knew that Mrs. L. did not care whether he was dead or alive—Mr Larkins at the time he said this had a peculiarly savage manner and appearance which made things worse; I mean Mr. Larkins always looked so exceedingly cross and furious at Mrs. L. when he said these things. This was not very long after Mrs. Larkins returned to Bombay but I should imagine it was about a month after she returned. I cannot exactly remember how these disputes commenced, but I remember one very serious dispute when Mr. Larkins wished to make Mrs. Larkins say that she wished to die. And because she would not say so, he replied it was very evident how much her heart was set upon the world that she should prefer being in this sinful world to dying and being with her saviour. I then left the room and did not hear the rest of the quarrel, but I found Mrs. Larkins in hysterics in the drawing room. I believe the reason Mr. Larkins wished Mrs. L. to say so, was, that Mr. King had said in the course of the day he was very glad he had come to Bombay as it would shorten his life 10 years, and therefore Mrs. L. ought also to wish the same. I heard Mr. Larkins say he had heard Mr. King say so Mrs. Larkins did not consent to say what Mr. L. wished her to say. I saw Mrs. Larkins in hysterics about half an hour after I left the room. Mrs. L. came into the room where I was sitting I asked her what Mr. Larkins had been doing she said he had been using most provoking language to her. This was not the only time I have seen Mrs. L. in hysterics, and before Mr. Lewis commenced his visits I have known Mrs Larkins to leive the Dinner table daily crying. I remember another quarrel when we were staying at Ghorra-bunder and Mrs. Larkins was reading the memoirs of Oliver Cromwell, a quarrel took place nearly the whole afternoon because she was reading this book, as Mr. L. considered she was wasting her time. This quarrel ended by Mrs. L. crying very much. I was not in the room but in a verandah close to the room and could hear Mr. L. scolding Mrs. L. very much. This quarrel ended by Mr. L. saying he considered it a waste of time to read any thing else than religious works, and that all knowledge but religious knowledge was a device of the Devil. We were at Ghorra-bunder about 9 days. There were many quarrels while we were there and Mrs. L. often left the Dinner table crying. Ghorra bunder is I believe near Bassien, we went to Bassien at the same time, nothing extraordinary occurred at Bassien at that time. I remember one evening in Bombay after we returned from Bassien that Mrs. Larkins was very poorly, and Mr L. accused her of being sleepy and said that if she were going to dress for a Ball she would be lively enough. Mr. L. said he wished some of the fine gentlemen who were in the habit of paying Mrs. L. compliments would appear, and he would then see how sleepy she would appear; she then burst into tears and said she was sure she had never given him cause to behave so to her. This was her answer. Mrs. L. then told Mr. L. she should wish to be sent to England and he was sure he would be much happier without her, he then said remember if you go to England I shall keep the children Mrs. L then left the room, and Mr. L. went after her to the Drawing room and apologised to Mrs. L. for his treatment of her, and promised if she would forgive him he would never do so again, a reconciliation then took place for Mrs. L. was always ready to be reconciled when there was an opportunity for it. I heard him apologise for the unkind speeches he had used to her. These kind of quarrels were taking place so often that I cannot at this distance of time remember what they were all about. This was before Mr. Lewis came to the house. I was only once at Bassein with Mrs. Larkins. Mr. Lewis first became acquainted with Mr. Larkins about 4 or 5 weeks before we left Bombay. I think when I first saw him at the house it was about 6 weeks before we left. I had seen Mr Lewis at the house two or three times before he came to live there when he came to take Mrs L's picture and also at two or three of the Saturday's religious parties.—I remember when Mrs. Larkins had seen Mr. Lewis but once, hearing Mr. Larkins say she entertained a preference for Mr. Lewis; it was one evening in Mrs. L's dressing room, when they were talking about who they should invite to a Dinner party, and Mr. Larkins said I suppose you will invite your favorite, Mr. Lewis, although Mrs Larkins had then seen Mr Lewis only once, Mrs. L. said that of course she could not invite him. There was no further conversation between them on that subject at that time. I have heard Mr. Larkins repeatedly say to her that he knew he had forfeited her affections, and that he had not treated her as she deserved. This was generally said after quarrels and when Mr. L. apologised for his conduct. Mr. and Mrs. L were in the habit of driving on the beach, but I have heard Mr. Larkins refuse to drive there saying Mrs. L. only wanted to go there to see Mr. Lewis, this was when she had seen him only once or twice. Mr Lewis had been to the house two or three times when I first heard this remark. I remember very well when Mr. Lewis first came to the house, and a very serious quarrel between Mr. and Mrs. Larkins about two or three days afterwards which took place at Dinner. I was not present Mrs. L. came to her dressing room and told me she had never been so insulted in her life, and a short time after Mr Larkins came up and apologised and confessed he had behaved in a most shameful manner to Mrs. Larkins. Mr. Lewis, was the only other person present at Dinner with Mr. and Mrs. Larkins on this occasion. Mr. L. came up and said he was very sorry and that he had behaved very shamefully to her, but that if she would forgive him he would not treat her so again. Mrs. L. said to him that if he continued to treat her in that manner she would leave his house nothing more passed then, Mr. and Mrs. Larkins and Mr. Lewis then went out and drove on the Breach.—I have very frequently on going into the Drawing Room for prayers heard Mr. and Mrs. Larkins terminating disputes in sometimes these were with Mr Lewis—I have heard Mr. Larkins say of course all that Mr. Lewis says must be right, and what I say must be wrong—Mr. Larkins used to pray, and at these family prayers at which Mr. Lewis and I were present, he used to pray that he might be kept from offending his wife during the day, and again this often occured at night—this I have heard frequently. I remember one evening when I went into prayers, Mr. Larkins selected a chapter in the Bible for Mr. L. to read on the subject of breaking of the 7th Commandment when Mrs Larkins saw what the subject was, she declined reading it and when Mr. Lewis heard Mrs. L. declined doing this, he looked at his bible and seeing the subject, shut the Bible and threw it across the Table,—there was no remark made—I remarked this because Mr Larkins was not then in the habit of selecting a Chapter we were then regularly reading through the Bible in course. Mr. Larkins then read the next Chapter, and Mr. Larkins immediately after left the room. No other thing was said at the time about it. I remember a quarrel taking place between Mr Larkins and Mr. Lewis. I was not present I know Mrs Larkins's hand writing—I have very frequently seen Mrs. L. in tears after Mr. Lewis came to the house—and a short time before we left Bombay after a serious quarrel. I was in the habit of delivering letters from Mrs. Larkins to Mr. Lewis—I remember her writing to Mr. Lewis about the 17th September and again on the 19th these were written after quarrels—(No 1, a letter, shewn to witness) this and the envelope are in Mrs. L's. hand writing—I remember Mrs. L reading this letter to me before she sent it. I delivered Mr. Lewis's servant—(No 2 shewn) this letter and the envelope are in Mrs Larkins's writing—this note I took down to Mr. Lewis in his room and gave it him—it was written on a Sunday morning.—(No 3) I remember Mrs. L. reading a portion of this note to me before she sent it, (No 4 shewn,) this letter I remember Mrs. L. sent to Mr. Lewis in the Fort No 5 (an envelope with two notes shewn) this note Mrs. Larkins was written on the 20th on the morning. That letter No. 5 was written in the evening. On this day Mrs. Larkins was not allowed to see Mr. Lewis and I delivered it to him. Mr. Lewis did not sleep in the house for 3 nights before we left Bombay. Mrs. Larkins did not see Mr Lewis that evening. While we were at Ghorra-bunder Mrs and Mr. and myself were returning one evening from a drive, it was quite dark at the time, and we were then living in an old church, there were a number of steps to go up to the church with a jungle at the top of the steps. Mrs Larkins was expressing how very much she was afraid of Tigers Mr. held Mrs. L. forcibly by both arms. Mrs. L. cried and told Mr. L. that he hurt her very much, this was at the bottom of the steps, and he told her it was a distrusting of providence to be afraid of tigers or any thing else. Mr. L. held her there I should think about 5 minutes but I cannot say how long. Mrs. L. was seriously afraid and repeatedly asked Mr. L. to let her go up the steps. He kept her there as long as he thought proper and immediately he let her go she ran up the steps.

Re-examined by Mr. Montriou.—Mrs Larkins was very much alarmed when Mr. held her. I knew this by her manner it was quite dark at the time. I know it by her struggling, I was close to her at the time He said he would hold her tight because it was a distrust of providence to be afraid of Tigers. He held her to prevent her from going away. She was running away from him and then he held her. I have frequently brought letters from Mr. Lewis's servant to Mrs. Larkins. I was not in the habit of reading those letters, Mrs. L. occasionally read parts of them, shewn this is written by Mr. Lewis. I did not remember Mrs. Larkins telling me, the first I remember her reading was a note I delivered from Mr. Lewis to Mrs. Larkin, this was about 8th or 9th of September. It was merely a note of enquiry about Mrs. Larkins health. I remember taking a small piece of paper down to Mr. Lewis in answer to this. About the 12th of September I was first aware of Mrs. Larkins,s intention to leave Bombay. I remember a very short time before we left Bombay Mrs. Larkins calling me into the drawing Room, where Mr. Lewis was, I received some directions about putting up the things for our departure. This was on the thursday two days before we left. I was aware of the reason why they were to be packed up, and I knew that Mrs Larkins intended leaving Bombay with Mr. Lewis. Mrs. Larkins has frequently read a portion of Mr. Lewis notes to me, about a week before we left Bombay Mrs. L was in the habit of reading these notes to me. The first of these notes I heard read was about two or three days after I knew of Mrs. L's intention to leave Bombay, I took one or two notes to Mr. L's room, it was to his bed room, he was sometimes alone and sometimes his servant was with him, I used to knock at the door and he took them, Mr. Lewis was not addressed by either Mr. or Mrs. Larkins on the occasion of the selecting the chapter, and his throwing his Bible away was of his own accord. I never heard the disputes between Mr. Larkins and Mr. Lewis, but Mr. Larkins was generally saying that Mrs. Larkins always agreed with Mr. Lewis appeared to be taking part in the quarrel and Mrs. Larkins to be agreeing with him in opinion, I never knew Mr. Lewis leave the room on the occasion of any quarrel between Mr. and Mrs. Larkins, Mr Larkins would when he was angry with his wife put on a savage manner; he never did so to me, but I have seen him very much so with the native servants, he got in a passion with them occasionally. From my experience of his conduct I never could tell whether he had an affection for his wife or not, I never knew Mr. L. refuse Mrs. Larkins anything in money matters, but he was very selfish in every other respect, in respect to going to different places; when Mrs. L. wished to go out, Mr. Larkins refused to let her, I mean to parties, Mr. Larkins would not suffer Mrs. L. to go to Balls and I have known him refuse to let her go to very large Dinner parties. I have known him allow her to go to them when she insisted. She did sometimes get over his savageness. When I said he was savage I meant at the time quarrels took place, Mrs. Larkins's health was generally delicate. Mrs. L. had one child in Bombay in the house, it was about two years of age. I have for some time been on confidential terms with Mrs. Larkins, soon after we left England while on board Ship I was in the habit of having confidential communications with Mrs. L. I believe I first knew in the month of March last that I should have to give evidence here. I have never seen Mr. Larkins deprive Mrs. Larkins of any book, but when she attempted to read other than Religious works he objected to it, Mrs. L was fond of reading Religious works but she liked to read other works as well. I have known her read other works in his presence because she thought it so great a weakness in Mr Larkins that she would not give way to it. Mr. Larkins always put on the savage manner I have described on the most trivial subjects. If Mr. Larkins saw his wife caressing their little child he would quarrel with her for that, the little girl was he thought too fond of the mother and he was jealous of that. He frequently accused Mrs. Larkins of this being her fault. I think Mr. Larkins had but very little affection for the little girl—Mr. Larkins was jealous of every body. There were no differences during the time that Mrs Larkins and Mr. Lewis were living together, all went happy and smooth. I never knew of any difference between Defendant and Mrs. Larkins—supposed that Mr. Larkins had called Mr Lewis her favorite because she had said she thought Mr. Lewis a very gentlemanly person. Mrs. Larkins was frequently talking to me on the subject of her husband's ill treatment of her I do not remember her ever speaking of this to Mr. Lewis's presence when the husband was not there. I am not married.

Mrs. Colonel Dickinson examined by Mr. Montriou.—I am the wife of Col. Dickinson I know Mr. Larkins the Plaintiff and have known him since he first came out. I know Mrs. Larkins his wife, she was not living with him when I first knew him—I knew his wife when she first came out. Since then I have been on intimate terms with them—Mrs. Larkins returned to England after this and since her last return from England I have not seen so much of her. My feelings to her were the same, but we have not been so intimate, I formerly have had opportunities of seeing the terms on which they lived but not the last time. I think they lived happily together. Mr. Larkins was of a serious turn formerly but not so much so as since Mrs. Larkins last return from England. During Mrs. Larkins first stay in Bombay they, (Mr. and Mrs. L.) lived with me some time, they were not publicly religious then, Mr. L. was not particularly fond of gaiety then, and did not shew any anxiety that his wife should be gay, she was not very gay then, I should say they lived happily, she was always anxious about his health. I should if asked to describe their feelings to one another, say they were a happy couple, The last time I saw Mr. and Mrs. L. were in their own house about a month Mrs. L. left Bombay, on an occasion when I dined and spent the evening there, I did not observe any thing particular in the conduct of them from what I saw that evening, I should say they were living happily. Mr. Lewis was not there that evening. Mrs. Larkins, was an accomplished woman, more so than Ladies in general. I was partial to her for some time, she was I believe considered generally attractive and was admired at that time.

Examined by Mr. Campbell.—I can't tell if there had been any difference they would have exhibited it before company, Mrs. Larkins did sing well. I never saw any thing extraordinary about Mr. Larkins or see him uneasy when she sung. On one occasion only the first time I heard her sing he did exhibit a little uneasiness when a Captain of a Ship asked her to sing. This was at Mr. Newnham's house, he seemed annoyed at her singing a particular song, a very long one, which she was then asked to sing. I do not know whether this was or not because of the length. He said "don't sing it" or something to that effect—"it is a very long song" there was perhaps a slight frown as if he wished to prevent her from singing, I cannot tell whether Mr Newnham observed it. I believe Mr. Newnham did invite them after that. I never on any other occasion observed any similar display by Mr. Larkins, when Mrs. Larkins was asked to sing—I have not seen so much of them since Mrs. Larkins last return from England, for no other reason than that they withdrew themselves from our Society—he had become more particularly Religious I spoke to Mrs. Larkins about this and regretted Mrs. Larkins did not dance—I expressed my regret that Mr. Larkins seriousness had caused us to have less of their society.

Mr. George Smith King—Examined by Mr. Montriou. I am a Merchant of Bombay. I know the Plaintiff, have known him 2 years and 3 months, I know his wife—I was very intimate with them. I have been in the habit of visiting once or twice a week, since Mrs. Larkin's last return from England until about middle of the month of September, until Mrs. Larkins left; after that I visited Mr Larkins. The last occasion that I saw Mrs. Larkins was about the 19th September in the evening it was not at her own house, I met her at Mr. Farish's.—It was a prayer meeting. I had met Mrs. Larkins previously at prayer meetings. There were weekly meetings of that description at Mr. Larkins own house, Mrs. Larkins invariably attended them and joined in the devotional exercises, she seemed to take a great deal of pleasure in it. I know Mr. Defendant I have been acquainted with him about 15 months, I do not know who introduced Mr. Lewis to Mr. Larkins. I have met the Defendant at Mr. Larkins's house repeatedly. I was on intimate terms with Mr. Lewis. He lived about a month in the same Bungalow with me, he was not constantly there He slept there only about 4 or 5 nights a week. I have met Mr. Lewis at Prayer meetings at Mr. Farish's and at Mr. Larkins's, he was in the habit of attending at Mr. Larkin's. The last time I saw Mr. Lewis at prayer meeting was on a Saturday before Mrs. Larkins and Mr. Lewis's going away—I believe it was on the 15th Sept., I think Mr. Lancaster, Mr. Lyon, Mr. Lewis, Mr. and Mrs. Larkins, and others, whose names I do not recollect were there; no clergymen were present.

We generally met at 7, I suppose it was about that time that evening—The Scriptures were considered as usual—Mr. Larkins took part in expounding them, I took part, and Mrs. Larkins also, no one else that I recollect—The letter which I got in the Bombay Register of my office for ten days afterwards, he used not do so before this reason for doing so was that he might be more quiet.

Cross examined by Mr. Campbell.—I was there occasionally at other times than on saturdays, sometimes twice a week, sometimes I might pass a week without going—I was there at other times, when other people were—I think I was never here when no others were.

SATURDAY,—15th JUNE 1839.

At the Sitting of the Court; the cause having been again called on, MR. CAMPBELL addressed the Court on the part of the Defendant. The learned Counsel spoke so rapidly that the following is but an outline of his speech.

It is my duty to make a few remarks, I confess it is a most painful one; cases of this nature are the most hateful duties we have to perform. I should not have alluded to the attempt that was made to avoid an exposure, to bring about a settlement, but for what has fallen from my learned friend; I was willing to have assented to a verdict against my client, because I was willing to avoid the public disgrace to the plaintiff, a public disclosure of the circumstances of the case, in deference to and consideration for the pltfs. feelings; for this alone did I wish that the evidence should not be brought forward, that this trial might be avoided, and I considered that was my duty by the offer I made with ample damages; in fulfilling my duty I may have injured my client; but the plaintiff now has forced the matter before the public. This is a case which I must acknowledge I could have wished to have been tried before a Jury, I regret that here we have none, I regret that your Lordship should have to perform the painful duty to estimate the amount of damages. A Jury might have viewed the matter differently to a Judge, and it will be difficult for your Lordship to divest yourself of your feelings as a Judge and to assess the damages as a Jury, and if we had a Jury the damages would I am convinced be very trifling. In this case the enquiry is, the injury to the Plaintiff. My Learned friend has used hard words; that Plaintiff is forced from a state of happiness, of domestic peace destroyed and of immeasurable injury. But I must tell my learned friend that both in England and here we have a mode of measuring such an injury;—by a Jury in England, here by your Lordship, but in order to measure, to estimate, this injury, it will be necessary to look into what has been the conduct of the Plaintiff and of the Defendant. It is in evidence that Mrs. Larkins was a most accomplished and attractive woman and fond of society;—that the Plaintiff had, since she went to England, changed considerably as to his ideas of Religious duties,—that after his wife's return Mrs. Dickenson regretted that she had not opportunities of enjoying the society of Mrs. Larkins in consequence of this change in the Plaintiff, and the strictness with which he enforced his religious notions upon his wife. The Plaintiff had changed during his wife's absence and it was his duty on his wife's arrival to have observed if there were a corresponding change in her opinions; and if not, he ought not to have enforced his views in the manner he did, but to have gradually examined and ascertained whether she was likely to be brought over to his opinion. I have met married women who were fond of Society, whose husbands were of a different turn, but this was not the course that they pursued, or that men of sense would pursue. they saw that such a mode would have been dangerous, that to resort to harsh abrupt and peremptory measures would have been to risk the loss of the affections of the wife, although they did not take pleasure in the innocent amusements of Society. I have seen, when the husband was enquiring as to her pleasure, the wife's eye glisten with delight and affection, at the kindness and consideration which permitted her to enjoy those pleasures and amusements in which he took no part. This was the way to retain a woman's affection, and if her thoughts were estranged for a moment this was the mode to bring them back. This was not Mr. Larkins's course and it is much to be regretted; no he would at once have made her promise to relinquish all the pleasures of society,—the consequence of this course is shewn by the evidence of the maid to have been constant quarrels,—see Mrs. Dickenson's evidence, and her regret at not seeing Mrs. Larkins, that there was something to prevent Mrs. Larkins going out as she had formerly done—see the evidence of the tyranny exercised over her mind by the hasty irritable temper of the Plaintiff. It is clear that Mrs. Larkins had altered and that her affections towards her husband had changed in consequence of his mode of treatment,—and that they did not live in that state of connubial happiness described by my learned friend. We have several particulars of quarrels, eternal quarrels, such as would be of considerable weight with a Jury who had to ascertain the injury such a plaintiff had sustained;—upon the present evidence they could come to but one conclusion,—that it was the Plaintiff's conduct that had produced the result. I must draw attention to the statements of the maid: and the absurd objections made by the Plaintiff, to his wife's reading any but religious books she was of a gay temperament, fond of going out, yet he chose to interfere and prevent her. This might be said to be trivial, but it becomes offensive and annoying; but it was not this only, this could not carry into effect his object, he tried another mode the result a most unhappy temper. He would insist upon her giving her opinion on Religious matters, she could not agree with him, and did not, then why did he insist upon her giving an opinion which he knew must be contrary to his own. Still he must and did insist in discussing these subjects, the result was constant quarrels and we find Mrs. Larkins after these scenes often in tears and hysterics. Then there's the absurd y ridiculous talk as to her brothers, the absurd charge that she was constantly praising them, and that it would be better if she loved her husband as well as her brothers. I do not say that this was of itself sufficient to destroy a wife's affections, but the repetition of such charges were sufficient to make her wretched and miserable. There's another instance where the Plaintiff charged his wife with considering him to be a fool "I know you think me a fool" he said "and you wish to make others think me a fool"—is this the language of an affectionate husband? No but it was the language of an irritable annoying temperament. If he had reflected for a moment he would have seen this was not the way to retain but to alienate her affections. See what is going on in his mind, we see he is afraid that he does not possess her affections, and he says to her, "I know you don't cary whether I live or die" He might or might not have been sincere when he said this, but it is evident that he was not clear that he then possessed his wife's affections. Something must have impressed him with the idea that his wife had not a proper opinion of his judgment. There might perhaps have been some trivial rumour of this nature which he wished to convince her was wrong, but was this the mode to cause her to inquire as to his being right or otherwise—we know that she was a well educated, a most accomplished woman, and that she discussed various topics with gentleness, and wherever there might be a difference of opinion he ought to have shewn to her that he was right with gentleness and moderation—he does not, but he says "I know you think me a fool." This was most improper, most irritating treatment to a woman of accomplishment sensibility and taste. Did he not by such a course risk a loss of his wife's affections? There was another most annoying scene arising from an expression of Mr. King's, one of those *wise saws* whether in politics and religion that are occasionally uttered. "that a man should wish to die". What does the Plaintiff do on hearing this, he runs home to his wife, and insists upon her saying that she wished to die.—because Mr. King had said so, an argument, a quarrel ensues, but she would not say she wished to die, she did not, could not agree with him—she did not wish to die, while he insisted that she had too strong a hold of the world because she did not wish to die. Must not such treatment as this have rendered him contemptible in the eyes of his wife, must not this among the many others have tended to alienate her affections, I now come to the absurd scenes at Ghorra-bunder when Mrs. Larkins was reading the History of Oliver Cromwell,—this ought to have pleased him, he ought to have been gratified to find that his wife was inclined to read historical works in preference to the trashy nove's of the present day,—No he thought it wrong, and there was a quarrel for the whole afternoon while the maid was walking in the verandah. He insisted that the reading any but religious works was a loss of time—could any thing be more absurd than for a man to be so eternally annoying his wife for nothing, surely there was nothing wrong in her reading a historical work for the moment, instead of a Religious one. It was the most absurd thing possible to treat a woman of sense and judgment in this manner. The absurd Tiger Scene occurs here,—and the debate as to distrusting providence,—they had been out for a drive and returned at dark, to the place they were then staying at, and where there was a considerable jungle, a delicate woman would be more alarmed and more nervous than a man,—it was quite natural that she should be, and that when she got out of the Carriage in such a place that she should run up the stairs,—she expressed her fears, but he runs after her and insists on her remaining there, he holds her tight, forcibly detains her, and insists on discussing the impropriety of distrusting Providence, she cried, said he hurt her,—but in spite of this he kept her there by force for no reason but to satisfy his unhappy temperament,—and shew that it was wrong to distrust Providence. This did not convince her, that he was right, but it did convince her that he could be guilty of most absurd egregious folly, although in the eye of the law this might not be considered harsh and cruel, yet it was so in fact. Then we have the dispute which I elicited from Mr. King on my cross examination. Mr. King and the Deft were both there. Mr. King in answer to a question by the Court admitted that both parties lost their temper, if other persons had been present perhaps they might not—but as it was the Plaintiff rushed into one of his absurd and violent altercations.

As to the terms on which the Plaintiff and his wife lived, we have the evidence of the maid, the best evidence possible, she was constantly with them, there was no restraint before her, as there was before visitors, she had therefore the best means of judging how they lived and of their feelings to each other. It is clear that they did not live affectionately. I put it to Mr. King, distinctly, and he admitted that there had been a dispute, a quarrel in *his* presence;—but it is not on the evidence of the maid nor of Mr. King that I rest, we have it in Mrs. Colonel Dickinson's evidence, that even at Mr. Newnham's, there was a display of the Plaintiff's temper, when his wife was asked to sing, he attempted to prevent her, not in a gentle and mild manner, but with frowns and harshness. This was at a large party at Mr. Newnham's and the Plaintiff had not even there his temper under proper control, and I am inclined to draw a very strong inference that if such a display appeared in public at a large party, these annoyances were carried to a much greater length in his own house, and that there were constant eternal and absurd quarrels and disputes and annoyances going on thro' his morose and irritable temper. This shews the state of happiness, the very happy and affectionate terms upon which my learned friend has dwelt so much, and shews that if the plaintiff was deprived of his wife's affections, it was the consequence of his own provoking irritating and harsh conduct. I had almost forgotten another of these absurd scenes which I had noted as the *Sleepy scene*, Mrs. Larkins being unwell and somewhat sleepy one day after dinner, the plaintiff upbraids her harshly, he says, if you were going to dress for a Ball, we should see how sleepy you would be then, or if some of those fine gentlemen were here who are so fond of paying you compliments, you would not be sleepy, this is merely another little circumstance, that shews the plaintiff's manner of treating his wife, a manner most likely to destroy, to alienate her affections. It has been said that, the defendant availed himself of a religious intimacy to alienate the affections of the plaintiff's wife, from what we have seen and the treatment she had received, it is clear that it did not require much labour, nor any deception, for the defendant to become possessed of Mrs. Larkins affections, she must have seen so vast a difference between the one and the man who sympathised with her for her sufferings. The plaintiff was anxious to convert the defendant, and although the defendant ultimately became an inmate in first visit at the plaintiff's, was to paint Mrs. Larkins. The plaintiff I say wished to convert the defendant, and he without practising any deception, may have given in to it, and accepted the invitation, he thought there was no harm to enquire into the purity and happiness of the religious people he had been in the habit of meeting, but in the house of the Plaintiff, he soon saw and became disgusted with the difference between the theory and the practice of religion. Three days only, after he took up his abode there, Mrs. Larkins was driven from the Dinner Table crying, she goes to the maid and tells her that the plaintiff had used most provoking language and that she had never been so insulted in her life. There were only the three, Mr. and Mrs. Larkins and Mr. Lewis, present on the occasion. Mr. Larkins then comes to his wife, admits that his behaviour was shameful and apologises, she replies that if this conduct is repeated she will certainly go home and be knowing the hold, they must have of her feelings says, well if you do I shall keep the childre.. Th..

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occurred on two occasions and once plaintiff tells his wife he knows she has a preference for Mr. Lewis. What would a Jury think of the Plaintiff's conduct? what would a Jury think of the man who after his wife having seen the Defendant but once, calls him her favorite, what would they think of the infatuation of the man who, after this, invites the Defendant to live with him and his wife, and yet only three days afterwards could in the presence of the Defendant, treat his wife in the manner the Plaintiff did. I think I was wrong in making the offer I did and that it is fortunate for my client that my learned friend did not accept the verdict and damages I tendered. I much question whether there can be any damages but certainly they must be most paltry. The plaintiff refused to let his wife drive on the Breach, because he suspected she only wished to go there to see the Defendant, yet he takes the Defendant into the house and three days after provokes and insults his wife before the Defendant, this was not the first nor the only such scene, there was constantly some upbraiding and jealousy displayed, and yet we are told of the unsuspecting confidence of the Plaintiff, that he did not suspect, that he could not possibly suspect, either his wife or the Defendant.

The plaintiff charges his wife after her having seen defendant but once with a partiality for him, that he is her favorite,—this is his unsuspecting confidence. He will not let her drive on the beach, for fear she should see Mr. Lewis, this is his unsuspecting confidence. He selects a chapter from the Bible on the subject of the crime of adultery, to be read by his wife in presence of the defendant,—this is his unsuspecting confidence, this is the religion going on in his house. At the time set apart for praying to God, he thus takes the opportunity to shew what his suspicions are, not only to her before the defendant but to the defendant himself. Is this like unsuspecting confidence. When the wife saw his object she passed on to the next chapter, but the defendant was disgusted and well he might be, yet Mrs. Larkins exhibited the utmost moderation: such had been the mildness of her disposition that it must have been a hard, a persevering task, to break down, to destroy the affections of such a woman and which the plaintiff once possessed. Mrs. Larkins displayed the greatest forbearance in every instance, and nothing but the annoying absurd and irritating course pursued by the plaintiff could have estranged her affection for him, so much for this unsuspecting confidence. In addition to the Chapter from the Bible, we have the letter of Mr. King, written with the knowledge of the plaintiff, advising the defendant to leave plaintiff's house, because rumours were afloat respecting him and the plaintiff's wife, can we suppose that this was simply written by Mr. King, that there had been no discussion on this subject between the plaintiff and Mr. King, can one suppose that this did not bring the danger home to his conviction, would it not render it palpably clear to the meanest capacity. Mr. Larkins goes the next day to Mr. Lewis's house and gets this letter, he said the servant gave it him, and he carried it away, why did he do this, is it credible that after this fact there could be this unsuspecting confidence. This question was put to Mr. King, had the Plaintiff any previous suspicion of what was likely to happen and he admitted that he had, what was the first exclamation of the Plaintiff to Mr. King after the elopement "*King they are gone*" was this a proof of unsuspecting confidence, no he had suspected them and while he expected what would happen, he suffered like a fool, Plaintiff's infatuation was so great, so extraordinary that it is scarcely creditable. His fears of the Defendant were such that he would not go to the Dickensons until his wife had pledged herself not to see the Defendant. It has been strongly impressed upon the Court that the Defendant made use of his religious intimacy to destroy the plaintiff's domestic peace and comfort and happiness, what was this domestic peace, eternal quarrels, the wife constantly compelled to tears, this was the peace, this the unsuspecting confidence. I put it the Court whither the Defendant was the suducer, or whether Mrs. Larkins worn out and broken down with the tyranny she endured, was not urging him to run away with her. (The learned Counsel here read the following letter from Mrs Larkins to the Defendant which appeared to have been written on Saturday 15th September.)

No. 1.

A thousand thanks dearest Frederick for your nice letter, which contains all that affection can desire, imagine how solitary I am to day! But I must not grumble at the necessity that exists for your entire absence during the day since it is arranged that you may dine here when you please. I had a dreadful quarrel with Mr. Larkins last night, on which occasion he openly accused me of being under the influence of a feeling of love for you! Without admitting such to be the case I replied, that if his conjectures were true, it would not be wonderful if he recollected his own behaviour to me He said he knew he had deserved to lose my affection, but that he would endeavour to behave differently in future. I reminded him that he had told me so every day, but before the expiration of it, he regularly broke his promise. I am quite sick of all this treatment, and of being subject to such odious kind of slavery.

Believe me in much haste, dearest,
ever yours,
ELIZA LARKINS.

It is clear that the plaintiff had lost the affections of his wife before the Defendant came, that his irritating temper, and treatment and ascetism must have destroyed them long before the Defendant saw her. I can see throughout the evidence no other cause of estrangement. This is not an aggravated offence. The Plaintiff with his extraordinary infatuation brings the two together, he throws the Defendant in her way, and all this after he had admitted, that he had lost, that he had forfeited, her affections; and he then behaves in presence of the Defendant so as to create a strong disgust; as if the loss of her affections were not sufficient, he treats her cruelly, harshly so as to create and excite the sympathy of the Defendant, which soon ripened into a more tender sentiment This is much to be regretted, to be lamented, but the Plantiff and no one else was to blame. The Defendant is to be pitied, he has most unfortunately been drawn into this affair by which he has been a most severe sufferer. Another fact which is extraordinary, is, that no servant was called but one, how easy would it have been by these means to contradict or corroborate whether they were living affectionately or otherwise. It is unnecessary for me to comment on the evidence of the Gentlemen who said that plaintiff and his wife lived happily, but who never visited them at a time when there was a probability of a display of temper, while we have nothing against the clear testimony of the maid. I must now leave the case with your Lordship.

The following other letters from Mrs. Larkins to the Defendant were then put in and read on the part of the Defendant.

No. 2.

Good morrow to you love! Let me hear how you are this morning? It has grieved me much to hear that you were so ill yesterday; I am as well as that *amiable individual* will allow me to be; for persecute me he will until the last moment I am with *him*!—I know not which is the most contemptible, his utter want of self command and betrayal of ceaseless jealousy, or his want of pride in allowing a woman to tell him twice, that she is disgusted with him, and ashamed of *him*!—which when irritated beyond all bounds I have repeatedly done;—how contemptible is such conduct;—is it not? We are going to read prayers at home this morning, he is not going to the school; I am. Do not go to church till Evening. What anything more than my duty is for a man to be so weak as to suppose a woman to be so much so, as to imagine that such trumpery as fine furniture, and sets of Pearls, or other gew gaws should compensate her for years of tyranny and repeated insults; Of course I will not accept his Pearls nor any other present. I have told him plainly I will not.—
Adieu—I remain ever yours.—ELIZA LARKINS
Sunday. 16 Sept.

(No. 3)

What a scene my dearest Frederick have I had to encounter again this day with that monster! It has shaken my nerves terribly; but I have again pretty plainly told him my abhorrence of himself and his conduct! When, love, will you be able to release me from his horrid persecution? I am going to speak seriously to you about it. You must of course give yourself time to finish such pictures as you think requisite and desirable; should it be possible to complete them by the middle of October, do not on account of the heat of the weather defer our departure beyond that period. Nothing can be well worse than Bombay itself during that month, and the heat is nothing in comparison with the harm which is done me by the system of persecution and torment to which I am subject! much longer I cannot endure it; I shall have no other alternative than that of taking my departure publicly, if we do not soon contrive to get away without Tell me in your answer if *you* can be ready by the *middle of October*!—I cannot of course wish to injure our interests in any way, but in urging you on this subject I only wish to impress on your mind the inutility of considering the weather, with reference to my health; for I know full well, how detestable it is to you that I should remain under Mr. Larkin's roof an hour longer! After all, I am glad that to the very last moment he continues to behave thus; it reconciles me to every thing that under different circumstances would lay on my conscience, while every fresh instance of your attachment and devotion to my happiness, but serves to confirm me in my respect and admiration of your character, and to convince me that I shall be amply repaid for all the miseries of my past life, by possessing the unceasing affection of a person whom I can both esteem and love; and believe me I will never give you cause to repent of your disinterestedness, or of the many sacrifices you will make for the promotion of my happiness.

Now for the list---Amongst other things you will find I have put down one whole piece of very fine Long cloth, and one piece of cambric muslin, of the former I send a pattern, of the latter I have none; but you must send for it and chose the finest. I shall be glad if you will send me them to day, as I want to give the stuff to a native Tailor to make up out of the house, and shall get you to defray the expences thereof. I wish you to procure two or three things to answer Maria Anne on board ship; only two or three things mind, and nothing the least expensive;---there are one or two little trifles for her use for which I will give the orders through Richardson to Joseph; the list I shall make on a seperate piece of paper. I expect you to dinner and as soon as possible; to-morrow I know you will dine at the Comptou's. I will give you a sitting for my picture at two o'clock. I thank you for your thought about the other necessaries;---I shall subjoin a list of what Richardson may require.

And now, God bless you, dearest Frederick,
Believe me, love, your, much attached,
ELIZA LARKINS.

Monday 17th September,

No. 4.

MY DEAREST FREDERICK,

I have received your Letter and have duly considered it's contents as you desired, but before I proceed to reply to them I must express my deep sense of the admirable disinterestedness which has shone so conspicuously throughout the whole tenor of your conduct towards me, and which the letter in question has so fully confirmed, to your own honor and my satisfaction; my knowledge of the truth and sincerity of your attachment (so powerfully evidenced by the uniform delicacy and respect which has characterized its progress), and the evidence contained in the letter before me (wherein you beg me "again to weigh every circumstance about my resolution regarding the future involves, and not to consider that I have gone too far to retract, should reflection incline me so to do") of the extreme disinterestedness as well as purity of your attachment, present to my mind a striking contrast to the conduct of men generally; who, impelled alone by vicious desires, selfishly seek to accomplish the ruin of their victims without regard to the after consequences.

I have only to reply that I have most maturely and deliberately weighed and reflected on the consequences of my resolution; the result of which is that my present position being one of extreme anxiety and wretchedness from the unkindness and tyranny which you have so often witnessed, my only *desire* is to quit the roof of the person at whose hands I daily for years past, *have*, and *do* continue to receive it; and that I firmly believe that to unite my destiny with yours, would be to promote my future happiness. I long ago represented to Mr. Larkins that the continued course of such treatment (spite of my unceasing efforts to please) would wear out the affections of any woman, and but too truly my best feelings have long, long, been blunted by it. This very morning a scene occurred that nearly drove me frantic! I felt so insulted by its having taken place in the presence of my Ayah; I fairly told him "I would not be indebted for a crust of bread to him if I could help it!" and so much have I been exasperated and excited by his conduct, that I told him "I would no longer be insulted before my very servants," I really think I should at once have gone to your Bungalow but for the consideration of the publicity such a proceeding would entail. my home has really become so insupportable to me, that I do hope you will as speedily as possible remove me from it; I seem to look forward to a new existence in the prospect before me of *peace* and *quiet*. I trust you will not delay to free me from such loathsome fetters, from any consideration respecting the unhealthiness of the weather in the Persian Gulf during the month of October; as nothing can be so prejudicial to my health as the trying scenes to which I am daily exposed, that I should be ready and delighted to quit Bombay at a day's notice, if you could only make the arrangements for our departure. One circumstance alone preys upon my mind; I could wish to have been spared the explosion of the final step, in a place where, (however unworthy) I have been a tacit follower of the most beautiful religion in the world; but since it is inevitable (my patience and spirits being exhausted in the endurence of so much misery), I shall not fail to apprise Mr. Larkins, that he has himself driven me to it. Pardon this delay in my answer, and believe me dearest Frederick.

Your sincerely attached,
ELIZA LARKINS.

Breach Candy, September 18th.

No. 5.

A million of thanks dearest for all your exertions: I am indeed overjoyed at the sight of that paper; I have got off going to the Dickenson's to night; for I did not feel equal to the exertion.

Mr. Larkins had *anticipated* that you might call on your way to Mr. Murray's, on the strength of which belief he has ordered me (like a child in disgrace) to keep my room till his return, in short he would not go to the Dickenson's himself without extorting a promise from me, that I would not risk the chance of even *seeing you for five minutes in his absence*, by leaving my dressing room at all; you will therefore excuse my seeing you this evening, because of my promise; you would have been amused at the manœuvres of Mr. L. to keep me from leaving my room, in the first instance, he advised my not fatiguing myself unnecessarily; but it would be better for my health to take tea at eight in my dressing room and go to bed immediately after: I told him I should not go to bed before ten, on which he got so fidgetty, and said he would not go; I said to him "I see how it is very plainly, you are afraid some one should run away with me in your absence:—now speak the truth, are you not afraid Mr. Lewis should come"? Upon which he admitted he was, but said he would go to the dinner party if I would promise not to leave my room &c. &c. I shall, I think have my revenge on Saturday for being kept prisoner now! Oh how glad I shall be to be released from such loathsome bondage! so far from not being prepared I only wish to-morrow were to deliver me from tyranny instead of Saturday.

Excuse these hasty lines from yours ever.

ELIZA L

Thursday Eve. *Sept.* 20.

No. 6.

DEAREST FREDERICK,

I have remembered two or three things which I have left unsaid in my bewilderment this morning. One is, please to give Richardson the sum of *five Rupees* for me, that I may pay my Tailor to-morrow morning when he brings home the work I have given him. Secondly, you have three little Pelisses of Marianne's in one of your boxes which please to take out again and give to Richardson; thirdly, Richardson will thank you if you will put two letters in the post for her to be forwarded by the first Steamer to Suez, and have the goodness to pay the postage thereof, fourthly, should any letters come for Richardson she does not wish Mr. Larkins to open them; in my letter to him therefore I shall request in her name that he will enclose them to any address you will mention; could they not be consigned to Messrs Forbes to be forwarded to your address? and then Mr. Larkins could have no excuse, for detaining them; please answer me this on a slip of paper, for I shall write my letter to him to-morrow, for I do not intend leaving like a culprit; but to prove him guilty of the abundant reasons he has given me for so doing. We sent off Nussy champe and Nasserwanjee to the Dickenson's I excused myself from going till dinner time, for really I could not, consequently I have packed up now, and there are only as many things remaining as will fill the other Box, you will not forget *dearest* that you will have to convey away at the last a Bonnet box, a small black box, and the Guitar, my Music and Books are all packed. Tell Richardson the issue of all your proceedings to day? I long to hear we shall be perfectly ready to start on Saturday morning, and the sooner we are out of this house, (now so unendurable in every way) the better both for you and for me. Adieu dearest, I am not fit for Mr. Dickenson's my brain is in such a whirl, but I am very joyful and courageous.

The above 5 & 6 were in one envelope.

(No. 7.)

This letter was left by Mrs. Larkins for the Plaintiff on her quitting his house.

For the decided step, which I have at length taken (after so many years of persecution on your part) that of separating myself from you eternally, I have been endeavouring to prepare your mind, by letting you see and feel for some time past what I have so long tried (and with the best of motives) to conceal even from myself—the contempt and disgust with which your conduct as a husband and gentleman have filled my mind. I speak not this now, in a tone of reproach to you, but for my own justification.—Ask your own heart, whether any thing in my character or conduct has elicited such usage as I have received at your hands? you have yourself acknowledged to me and others, the propriety and excellence of my conduct towards you in return for the many insults private and public which you have heaped upon me! Can I perform my duty to you as a wife when I can no longer esteem you as a man? Can I longer endure to be treated as a slave, to be one moment caressed, the next suspected, ay! the constant object of jealousy and doubt! what can you suppose has enabled me to endure such injustice, such ignominy, thus long, two things—a desire to perform my duty, if possible, till human nature could endure it no longer! Then my children! my beloved children! whom I have cherished with the tenderest affection! but even they are objects of pain to me! for however I act my part as a mother towards them, by teaching them to admire and respect what is totally sunk in my own esteem: I must even banish *them* from my heart by leaving them and you; or play the part of a hypocrite, every moment of my life, and despise myself for it; my affection for you has long since fled, with my esteem; it is impossible for me longer to fulfil my duty to you as a wife, or to my children (for they are yours) as a mother—Had you treated me with the confidence and consideration to which I was entitled as your wife, I never could, never would have deserted you, or ceased to love you---as it is I have taken refuge with one, of whom (had you treated him as a friend, a gentleman and your guest) you would have had no cause to complain; your own good conduct would have ensured the esteem of an honourable man and would in itself have formed a sure basis for the support and protection of your own honour. That you may not for an instant suppose that the step I have taken is the result of a wild caprice, or passion, I assure you that it has been maturely considered, and that whatever your suspicions may be, or have been, so long as I remained under your roof, your honour, in its most vital point has remained unsullied—Any pursuit after me will be vain, neither threats, entreaties, nor expostulations on the part of yourself or any other individual, will move me from my purpose, or induce me to return. With regard to your promises of amendment! every moment in the day, but served to convince me of the *impossibility* of your performance of them—you are continually deceiving yourself, but can never deceive me—I bid you now an *eternal* farewell! with one request, that you will send Marrianne to England and place her under the care of Henry's Nurse—that you will bestow such an education on those dear and innocent Children as shall be likely to prevent them falling into the same errors that you have done—and may God bless them and protect them, and not visit the sins of their *parents upon them!*

On the part of the Plaintiff MR. MONTRIOU proposed to read a letter, which was admitted to have been written by the Defendant and to have been found by the Plaintiff in a work box of Mrs. Larkins after her elopement. An objection was taken by Defendant's Counsel to the reading of this letter, and the Court ruled that as the letters put in by Defendent were to shew that he was the seduced and not the seducer, and as this letter contained internal evidence that it formed a part of that correspondence it was admissible in the same manner as if the Plaintiff's Counsel had been cross examining the Defendant's Witnesses.

MR. MONTRIOU then proposed in order to shew that Defendant was the seducer to prove and put in a letter written by the Defendant to a friend soon after his arrival in Bombay.

S. D. Murray Esq. examined by Mr. Montriou
Witness looks at a letter. I recognise this letter it is in the hand writing of the defendant, it was received by me on the 28th of January this year.

Cross examined by Mr. Campbell.—I received this letter in the course of Monday, 28th January this year—I sent this letter to Mr. Larkins either that day or next morning, I sent it to him as a friend as it concerned his case, I was at one time on friendly terms with Defendant, but I had also another friend. Defendant was no longer my friend. I did not tell him he was no longer so he had long ceased to be my friend, it did not write him so. I had no means of informing him, he might have supposed that he had forfeited my friendship by his own conduct---I do not know whether he did or not think I was his friend when he wrote that letter;—that is matter of opinion not fact I have before said, I had not an opportunity of acquainting him---before I received that letter, I had not given Defendant any reason to suppose, that there was a cessation of my friendship for him—It is not my custom to send the letter of one Gentleman to another, I mentioned just now that as it referred to Mr Larkins's case I sent it to him.

By the Court---I was aware at that time of the circumstance which have produced this action.

Mr. Montriou then tendered the letter as Evidence.

Mr. Campbell objected on the ground that it was not part of the correspondence put in by the Defendant.

Mr. Montriou in reply to this objection stated that the letter contained evidence to rebut the defence which had been set up, and which he had not expected would have been set up, that the Defendant was the seduced and not the seducer, and that the letter would shew that he and he only was the wrong doer. *The Court* allowed the objection taken by Defendant's Counsel, and ruled that the letter was of such a nature as to have been material in the Plaintiff's evidence in chief and should then have been put in.

The following letter, the one found by the Plaintiff, as mentioned above, was then read.

D.

The news about the vessel, prepare yourself, for dearest, dearest, most dear, and Good night Heaven bless you.

MY BELOVED, DEAREST, DEAREST BELOVED.

Thank Heaven *you* have again soothed me, *to be in* thy presence, oh God, oh God.

But you have no idea my sweet one what I have undergone this day, believe me *nothing* but *your* support could ever have supported me through all I have undergone, in every hour from the breaking of day to the setting of the sun.

But thanks to God and Heaven all is well, I have not believe me, deceived you in any iota, when I have assured you *all is well*, but my life, dearest, you must be beyond expression anxious to hear all I have to say to you, all that has transpired since handing you into your carriage last evening, but I cannot *write* it; I live satisfied and *full of confidence* until I am with you tomorrow-tis an age till then, but must be endured by both—the hour, my love of ½ past 8 until ½ past 9 in *this morning*, was one I never can describe, far less so by writing.

And what information, and success I have met with to-day is such that I cannot write a word, a most eventful day, but you must sleep confidently my love and be prepared for *good news* when I am with you.

I fear my manner has belied the words I am now writing, but when you hear all that *has* transpired, you will be fully enabled to understand the wildness into which I have been overcast.

Oh my Eliza, my love, life, hope, comfort, and honor, and pride; what a day, what a day, oh my Heavens what a full bursting day

If my manner, by beliefing me has given you pain that is horrid, I could not be otherwise, but I pray I do pray you may be enabled firmly to pass *this night* in the full satisfaction that I have most grateful news for your Ears in the morning—*Volumes*, Volumes.

So bless you Eternally

Believe what I have had to encounter this day. I have been most ill and could not *write* but have been moving about all day, but my dearest the conduct which will astonish you most tho' perhaps I am wrong, nothing can astonish from that quarter, but I wont raise your anxiety, I cannot gratify it by writing. I pray for some sleep for yourself and myself, that the hour of our meeting may quickly arrive, so Heaven Eternally guard protect and comfort you, and Grant me to be enabled to do the same throughout this life in all human power.

Your husband,
most fond, most faithful,
most anxious
FREDERICK.

Mr. Campbell for Defendant. This letter is apparently put in for the purpose of rebutting the presumption that the Defendant was the seduced and not the seducer. If this be the object it appears to me but a weak support of that intention. It shews that it was written in answer to one of those letters of MRS. Larkins's which I have put in urging the Defendant to remove her from what she calls her loathsome thraldom. It shews Defendant's anxiety about a vessel and that he had arranged about a passage, and shews nothing more, nothing to meet the presumption raised by the letters put in by me.

Mr. Montriou rose to reply; as nearly as we could follow the learned gentleman, the subjoined is the substance of his address:—So then the presumption that the Defendant was the seduced and not the seducer is insisted upon. I confess that I am surprised at this line of defence, that I did expect some retraction, some legitimate evidence in addition to the letters from his victim, to shew that she was the seducer and not him;—I thank my learned friend for putting in this correspondence as it will assist your Lordship in coming to a conclusion as to the damages. Look at this correspondence between this woman and her guilty paramour, it shews no gradual growth of affection, but at once most warm expressions highly coloured language, excited by the arts of the Defendant, then look at that letter of the Defendant's, is that letter the effusion of a guiltless man, of a man merely protecting the wife of a friend from ill usage,—of a man who had been seduced; without further comment such a letter is quite sufficient to shew the terms on which the Defendant had been with the wife of the Plaintiff. Only one other line of defence has been set up, but both have been put forward and argued with fervid eloquence. This second defence is to shew that the Plaintiff is not an injured man, that he and his wife were at discord; the only proof that they were not living happily, that they were not in a state of connubial happiness, is the evidence of the maid of petty differences magnified into quarrels. Why I would ask, where is the husband and wife without some disputes, which a prying waiting maid may not hear and treasure up. Where is the husband who could withstand the prying of such a woman disposed to colour and distort facts. I may consider this witness as the defendant's witness, although she was, most reluctantly, brought into Court by me, and my learned friend admits that he would and must have called her if I had not. We should receive with the greatest suspicion the evidence of this hostile witness, who accompanied and lived with the Defendant and his paramour and has ever since been living with her. She manages to recollect many quarrels, particular words and expressions, and when asked as to others, it was so long ago she could not remember. Dismiss her evidence on this point, and then what becomes of one part of the defence Upon the evidence elicited upon the Cross Examination and those letters the two-fold defence has been based;—that the plaintiff has been guilty of harshness and cruelty, although such as it is admitted is not cruelty in a legal view, has been greatly pressed upon your Lordship's mind. Were I addressing a Jury of twelve husbands or twelve fathers I should do so with much confidence, on this point; but I have much more confidence in addressing an English Judge of Education, moving in a superior sphere to any here, plaintiffs or Defendants that I do not think it necessary to say more on this subject.—What said my learned friend would a Jury think of the Plaintiff's conduct with such constant quarrels and discord, what I ask is to be thought of the Defendant who in five weeks is pretended to have allowed himself to be made the victim of seduction, to be selected to protect this woman, to rescue her from a state of connubial misery. Look at the conduct of the Plaintiff and Defendant, did the Deft. ever leave the room during these disputes; did he ever shew a disposition to put an end to these matrimonial differences, was not this the conduct of a man knowingly and wantonly laying deliberate plans for the accomplishment of his designs, well knowing the Plaintiff's weak point, if it be one,—Religion,—he adopts the appearance of a religious friendship; affects strong conscientious views as to this life and the next, what should be thought of the conduct of such a man as the Defendant who deliberately plans the seduction of the wife of a christian friend, while domiciled in that friends house. Defendant appears to having been introduced, to have become upon the most intimate terms, his letter to the plaintiff before being admitted to the house exhibits a strong religious bias, and gratification at being awakened to a sense of his previous sinfulness. We can conceive the influence which this conduct would have on such a mind as that of the Plaintiff, and *his* sincerity in Religion has not been attempted to be denied. The wished for impression having been created in the Plaintiffs mind, he admits the Defendant to his house, where he attends at and joins in prayers and other devotional exercises, in which Mrs. Larkins volun arily, and with pleasure, takes a part. We have the evidence of the Clergyman who had been an inmate of Plaintiff's house for some time and for a week after the visit to Ghorra—bunder, where it was said there had been a desperate quarrel about the Books, where it was said there had been an exhibition of cruelty and certain monstrous absurd effusions by the Plaintiff;—Yet no quarrel or rumour of quarrel came to the knowledge of this witness—Are we to believe this Mary Richardson or Mr. Candy who lived in the house during Plaintiff and his wife's absence and afterwards. The quarrels on the subject of the Books were constantly in the mouth of the one witness—that the Plaintiff exercised a tyranny over her mind,—that he would not allow her to read any thing but Religious works, and that her mistress did not read Novels—how then do we find such works as Ernest Maltravers and the Arethusa on the tables; how wide and astonishing the difference on this head between what Mr. Candy tells us, and what Mary Richardson says. This Witness next always recollects, as to the quarrels exactly what was said, what Mrs. Larkin's said, when she went away, when she cried, when and how long she was in hysterics, the particular words used;—it is impossible to believe that she was not prepared and tutored for this occasion. The Plaintiff never deprived his wife of any Book; and moreover she did not regard what the Plaintiff said and did not attend to his remonstrances. So much for the ill treatment as to the Books. I am told that I used the term unsuspecting confidence, and there has been much fair criticism upon this. And I may use a *tu quoque* argument in reply to my learned friend when he said what a work of labour it must have been to destroy the affections of such a woman as Mrs. Larkins—yes it required Mr. Lewis to do that. The Plaintiff with all his marital tyranny could not break down the affection of ten years, of one who had borne him three children and was nursing one of these at the time the Defendant was introduced. Her Letter of September 1836, during her second absence from her husband, speaks for itself, and plainly shews what were her feelings of affection and her disposition as to Religion. Could there be any thing cruel in endeavouring to enforce religious views on her after this. Indeed it must have been a difficult task to break down her affections, but forsooth her husband must have done all this---indeed it must have been a work of labour to destroy every good feeling in the breast of so beautiful, so accomplished, and so talented, a woman, but the husband alone effected this, although apology followed his every fault--was she the woman not to appreciate this conciliatory conduct from her husband. At the time of the introduction of the Defendant, this Christian, such it was said was the lost state of all matrimonial understanding of the plaintiff and his wife, that the loss of the affections of his wife, the mother of his three Children, was no injury to the Plaintiff;—that it was evident the Plaintiff could not suffer by the loss of a wife, whose society, however would have been a treasure, and whose desertion must be a source of misery, for the whole of his future life. The only question now is the amount of damages to be awarded for the injury, the defence set up has inmeasurably enhanced the guilt; if the Defendant contemplates to repair the injury he has inflicted on one of his victims, he will find little cause for congratulation from having blackened the companion of his guilt. After a few more comments the learned gentlemen left the matter in the hands of the Court, confidently relying upon such an amount of damages as to the world would place his client on the highest possible ground.

The Court intimated that it would take time to consider the amount of damages.

TUESDAY 18TH SEPT. 1839.

The Cause having been again called on, his Lordship THE CHIEF JUSTICE delivered his JUDGMENT in the following terms.

It is conceded and indeed would not be disputed, that there must be a verdict for the Plaintiff, but the amount of Damages is rather of anxious consideration involving Plaintiffs conduct and Defendants conduct, and some estimate of the happiness of which Plaintiff is deprived by Defendant. The question is more particularly painful and unsatisfac tory as involving a consideration of the conduct and character of a person not before the Court. Yet it is unavo idable, for if the evidence in mitigation of one part, that addressed to Plaintiffs conduct refers to his conduct relating to her, and the other part, that regarding Defendants conduct is equally mixed up with hers. The first topic in mitigation, the previous existence of domestic differences, the blame of which is imputed to Plaintiff, is grounded chiefly on the evidence of the servant Mary Richardson, whose undisguised object is to make a case in favor of the wife against the Plaintiff, and whose situation as an accomplice affords the strongest motives to extenuate the guilt in which she participates, that she is guilty of gross exageration and misrepresentation---that she represents that as having been the rule which can only have been the exception, and that as having been purely the tyranny of the husband which was probably in a greater degree the perverseness of the wife, seems to me clear---but I must do her the justice to say that she not only gives her testimony with much self possession, but that I can hardly imagine that any witness so completely involved in criminality, which may be estimated, but cannot be disputed, would be more free from actual and positive falsehood than she would appear to be, she does not attempt to charge any thing like personal violence, except by an inflamed account of Plaintiff at Gorabunder detaining his wife for five minutes at the foot of the steps, to lecture her on the impropriety of her fears. But whatever we may detract from her conduct, as to the merits of one or the other party in the domestic differences themselves, are a two edged sword. If they are the fault of the husband---that is against him. If he be cleared of all blame, the misconduct of his wife renders his loss of her by Defendant's means a less injury. Now I cannot wholly discredit Mary Richardson, as to the existence of such differences tho' in treating them as of daily occurrence she proves a great deal too much, for she proves, that friends who contradict must have seen them unless indeed (what a statement of a systematic purpose in one of the letters read for the defence would seem to shew) the wife so artfully contrived her resistance and her tears, that the quarrels should occur when it suited her purpose, and not at other times. Her letters shew her a person of ability, and appear to shew at the period of her absence a warm attachment to her husband and great attention to her Domestic duties. It shocks all our best feelings, when the letters of an absent wife to her husband, the last retreat of private confidence, are exposed even thus justifiably, because necessarily, to public curiosity, and we ought not to scan too closely what is said to one who is nearer than even a father, yet it would seem as if even at that time, a curtain drawn over a father's faults would have indicated a more dutiful, a more amiable character, and when we find she is there placing her husband in contrast to her father, for the marked absence of those very faults which she afterwards treats as peculiarly *characteristic* of the husband himself, it certainly leads to the supposition that the change is more in her than in him; and that she imputes to the object of her dislike for the time being, that ideal character which she has accustomed herself to look upon as odious. In these days also we find on Mrs. Dickinson's evidence that she persisted in singing before a large Company, a song which he had informed her that if he had any influence she would not sing. He may have had reasonable objections, or he may have had none, she could have no good reason for her disobedience, and it shews that even then her character whatever may have been its attractions was not that of the gentle submissive wife, as represented by Mary Richardson, with whom, differences could only seem by the husbands fault. I have endeavoured to pass over this part of the subject as lightly as circumstances would allow, because she is not before the Court, but it is important to the damages and to the credit of Mary Richardson's evidence would not allow it to be omitted as to the rest, it is undeniable that he was a generous Husband, was an affectionate Husband and father. I much rather credit on the testimony of various witnesses of high character, than discredit it on that of Mary Richardson. He may have erred in discretion in the mode of his attempts to guide the principles of his own household, and possibly in temper when thwarted in them, for an anxiously kind may yet be an irritable disposition, but the exageration on the subject of exclusive religious reading is proved by Mr. Candy's evidence as to what books were actually tolerated and her systematic disobedience in that point is admitted. His liberality in matter of ornaments, and the very fact that Defendant was employed to paint her portrait, goes far to negative such morose fanaticism as Mary Richardson represents; the distortion of King's just sentiment as to preparation for death into a piece of suicidal fatuity is much more likely to be attributable to the waiting maid than to the Husband, and that his wife was determined to mortify him appears from her letters before adverted to. On the whole therefore I think that while the misconduct of the husband imputed is not proved, domestic disquietude sufficient to detract greatly from the value of the wife's society is proved.

As to the rest, while the guilt material was not exclusively imputable to either I think Defendant has succeeded in shewing that she was rather the seducer than himself. The letters produced by him for this purpose shew a deep and settled determination to escape from her husband, much calculation as to the mode and the adoption of Defendant as an instrument to effect it, and I think that his letter of frantic passion produced in reply rather tends to shew him rather the victim than the origin of her Policy. The Damages therefore must under this head be greatly reduced, for I think it established that Plaintiff had lost not her affection only, but also that desire on her part, to perform the duties of a wife which often, however pitiably, survives affection. But as regards Plaintiff his honor might have been preserved though his domestic peace was impaired, and as regarding Defendant we must not look upon him *merely* as involved in a net of temptation from which he could not extricate himself, but as having by the most disgusting hyprocrisy wrought upon the religious feelings of his host to extend a reluctant hospitality, systematically intended by Defendant to afford the means of accomplishing his dishonor. That passion which is addressed to Mrs. Larkins scarcely appeared to leave him in the condition of one responsible for his own actions, could allow him to practice on the Plaintiff the coldest deception by the most grovelling cant and adulation, and makes it necessary that (while I do not raise damages to the level which would give them a penal character) I should mark the deliberate character of the wrong to Plantiff.

Verdict for Plaintiff—Damages Rs. 2000.

AGRA UKHBAR.—JUNE 13.

Despatches announcing the presence of a large body of Persians at Heerat, have, we learn, been received by the Governor General. This however, merely corroborates the report which we sometime since laid before our readers, that does not add to our intelligence. His Lordship had in consequence, we understand, resolved to send the Army to Heerat.

No accounts of the departure of the Troops from Canduhar have been received; at the latest they were still there, and though healthly, not well provided with supplies, as the subjoined list of prices will shew. The immense drain on the resources of the Government, which this state of things gives rise to, should impress them with the serious responsibility of detaining the Troops an hour longer at Canduhar than is absolutely necessary.*

A Brigade of 1,000 Sepoys and 100 Europeans of the 13th Light Infantry under the Command of Colonel Sale, was on the eve of being despatched for the reduction of a Fort 100 miles from Candahar, in Dost Moohumud's interest. A portion of Ordnance was to accompany the party. It is probably, the Fort of Moosa, straight in the direction of Heerat.

Dost Moohumud, it is now believed, will try the fortune of war and offer us battle on our approach to Cabool—the best step for us, he can take. Many of the Local Horse which accompanied the Army, had, we are sorry to learn, perished in their encounters with the Belooches.

Letters from Ferozepoor state, that the Seikhs had crossed the Khyber Pass without opposition, and were in march on Cabool.

Camp dated Candahar 11th May.

	seers.	chs.
Wheat per rupee	1	4
Goor ditto ditto	0	10
Oord ditto ditto	2	0
Ghee ditto dito	1	0
Oil for burning per rupee	0	10
Salt per rupee	0	8

The Sipahees receiving their Ottah from the Company's Godown at 15 seers per rupee.

No Gram procurable for the horses or public cattle, which were subsisting on grass alone.

* Our readers may like to see General Thackwell's orders within a march of Candahar.

Orders by Major General Thackwell. C. B. and K. H. Commanding Cavalry, Army of the Indus, at Jucha Pool, Camp, 22nd April 1839.

Brigadier Arnold will be pleased to direct the right Squadron of the 16th Lancers, to encamp this evening on the ground left for the Artillery, he will also be pleased to direct at the hour named in General Orders by His Excellency the Commander in Chief, a Squadron (detaching an Officer's party) to the front, agreeable to the said General Order.

The Officer Commanding the Sappers and Miners, will be pleased to have a Company of Infantry attached to the above Picquet, and Brigadier Arnold will order such other Picquets from the Cavalry as he may deem necessary to cover his right and front.

The usual Picquet will be detached to cover the rear of the encampment.

The Field Officer of the Day will cause a Patrole to go well to the front on the Candahar road, before nightfall, to ascertain wither any of the Enemy's Picquets are near, and he will also cause his Patroles and Picquets to be on the alert.

In the event of their being any alarm from the direction of Candahar, the Sappers and Miners will move to the right rear of the 2nd Cavalry, and the Bombay Troops to the rear of the 16th Lancers, and wait for orders.

A Squadron of each Regiment will be saddled during the night, independent of the inlying Picquet.

By order,
EDMOND ROUHER.
Offg. Assist. Adjt. General of Cavalry.
Army of the Indus.

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